

# GREATER LONDON AUTHORITY

## REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD231

### Emergency Response Driver Training Cars

#### 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 2 report, for the purposes of purchasing eight Emergency Response Driver (ERD) training cars. Six of these will be standard-performance ERD training cars for Emergency Fire Appliance Driver (EFAD) driver training; and two will be enhanced-performance cars to carry out officer and instructor driver training.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the LFC to seek the prior approval of the Deputy Mayor for Fire and Resilience 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 in the Part 2 report, for the purposes of replacing two existing Emergency Response Driver training cars with higher-specification vehicles, and purchasing six new training cars, to provide a total of eight training cars.

#### 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:**

19/02/2024

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

### Decision required – supporting report

#### 1. Introduction and background

- 1.1. Report LFC-24-006 to the London Fire Commissioner (LFC) explains that the current vehicles used for driver training comprise: two out-of-contracted-life fleet cars; and four end-of-lease vehicles obtained from officers returning their cars to the lease company. Cars have a contracted life of five years under the Vehicles and Equipment 2014 Babcock Critical Services Limited (BCS) contract (the V&E contract). It is proposed that replacing the four end-of-lease cars with six fleet vehicles, under the V&E contract, that cater specifically to driver-training needs would standardise the fleet and improve training efficiency. The acquisition of these six vehicles, alongside the replacement of the two cars already under the V&E contract, is essential to address various issues. These include the new Section 19 of the Road Safety Act 2006; advancements in technology; and the skills gap within London Fire Brigade (LFB). The table below shows the proposed changes:

<b>Current</b>	
Current vehicles used for ERD training	Number
LFB-owned under V&E contract	2
Officers' end-of-lease cars	4
<b>Total</b>	<b>6</b>
<b>Proposed</b>	
Proposed vehicles for ERD training	Number
Replace end-of-life V&E-contracted cars	2
Procure six new ERD training cars	6
<b>Total</b>	<b>8</b>

- 1.2. Currently, there are three training programmes that require the use of response cars. The resource allocation numbers are based on fulfilling the requirements of the existing programs. However, it should be noted that when the new acquisition courses are implemented the car requirement will increase due to their longer duration, resulting in more instances of overlap. These courses are already being delivered by Babcock Training but utilising leased cars.

Course code	Course name	2023-24 course requirement	No. of cars needed to deliver annual requirement
DTLGEF	Fire Appliance Driver Acquisition	125 (250 delegates)	3
ERDIAC	Response Car Driver Acquisition	40 (80 delegates)	2
ERDRV	Response Car Driver Revalidation	50 (100 delegates)	1

- 1.3. To meet the current known demand, a minimum of six cars are required for training purposes. Two extra cars are needed: one for routine maintenance rotation; and another to account for unforeseen breakdowns, accidents and on-demand courses (such as transferees and retests). Therefore, a total of eight driver training cars will be required for the upcoming financial year. It is projected that this demand will remain constant for three years after the eight cars are in place.
- 1.4. The Fleet department's previous forecast capital expenditure was based on a like-for-like replacement of the existing cars that were purchased in 2016. However, LFB's Training department has updated the specification of these vehicles, and inflation has naturally led to increased vehicle purchase costs. This has resulted in higher-than-forecasted purchase costs. The increase in LFB's Fleet department's capital budget is outlined in Part 2 of this report.
- 1.5. LFB's Learning and Professional Development department has advised that a revenue stream has been

identified to procure the six additional vehicles required to fulfil the backlog and high demand for driver training, and replace the existing two training cars, under the V&E contract. Further details on this revenue stream are set out in the confidential Part 2 of this report.

## **2. Objectives and expected outcomes**

- 2.1. The requirement to acquire additional driver training cars aims to address the current training backlog and future demand in driver training. The LFC is becoming a centre of excellence for instructor driver training; the increase in cars, and enhanced car specification, will enable this.
- 2.2. In addition, by purchasing all driver training cars under the V&E contract, all vehicles will benefit from an enhanced maintenance regime compared to manufacturers' recommendations provided by lease companies, ensuring their optimal condition for training purposes. Furthermore, acquiring bespoke cars that are specifically designed for driver training would ensure LFB has the right number of cars available, with the right specification for training. This would eliminate the reliance on end-of-life lease cars altogether.
- 2.3. This investment also enables LFB to avoid issues with the use of lease cars for driver training. These include the following:
  - There is additional administration associated with keeping lease cars and making sure they don't exceed a 50,000-mile threshold, at which point the lease company will charge an excess of five pence per mile.
  - Lease cars would need to be replaced after three years, compared to five years for cars procured via the V&E contract.
  - Depending on the type of lease car used, the revenue budget needed whilst this remains an LFB requirement (maintenance) means it is far more expensive to run per month compared to an LFB fleet car. The most expensive lease car currently used for driver training works out at approximately £600 per month. An LFB fleet car under the V&E contract would cost around £233 per month.
  - At the end of the lease agreement, lease cars attract potential betterment charges. This is where the condition of the car being returned needs to be in a condition pre-approved by the lease company. LFB fleet cars don't have this betterment risk.
  - There is potential income to the LFB through the resale of the fleet vehicle at the end of its five-year life, as it would be owned by the LFB.

## **3. Equality comments**

- 3.1. The LFC, and the Deputy Mayor for Fire and Resilience (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; and promote understanding.
- 3.8. An Equality Impact Assessment has been completed by Learning and Professional Development and is attached as an appendix to the appended LFC report. The procurement of new driver-training vehicles does not disproportionately affect any staff associated with the use of these vehicles.

#### **4. Other considerations**

##### *Workforce comments*

- 4.1. Consultation with the Fire Brigades Union has been undertaken, and LFB has received their full support for the proposal.

##### *Sustainability comments*

- 4.2. The LFC is working toward carbon net zero and a more sustainable fleet. As such, the LFC's aim is to procure a minimum standard of hybrid vehicles; however, if electric solutions are available that meet the user specification, the LFC will procure fully electric vehicles.
- 4.3. At the end of their serviceable life the cars will be sold by BCS under the provisions of the V&E contract. The disposal process will fulfil LFB obligations under the Environmental Duty of Care Regulations (End-of-life Vehicles Regulations 2003).
- 4.4. FEP2237, the V&E contract, provides for the capital replacement of fleet and equipment throughout the contract period of 21 years. Under the contract, BCS procures new vehicles and equipment; and replaces the existing assets at their life expiry. BCS has policies in place relating to anti-slavery, sustainability and anti-corruption. This is done in accordance with the specifications and approvals issued by the LFC.

- 4.5. A technical Sustainability Development Impact Assessment has been completed to ensure the LFC only procures from suppliers who share our sustainability values.
- 4.6. The FLEET carbon-reduction strategy aims for new vehicles to be zero-emission. Therefore, the specification of the driver-training vehicles should be electrically powered. To meet the specifications of Learning and Professional Development, electric vehicles are the preferred option. However, if they do not meet the required performance standards, then hybrid vehicles will be the next option.
- 4.7. This report discusses the replacement and increase of ERD training cars. If replaced with fully electric or hybrid vehicles, this will have a positive impact relating to the Mayor's Net Zero by 2030 target, and air quality.
- 4.8. Where new policies and/or corporate projects arise, or there are any changes to the specification of vehicles (for example, no longer being hybrid or fully electric), this will be subject to LFB's sustainable development impact assessment process.

#### *Procurement comments*

- 4.9. All the vehicles and equipment to support the operation of the LFC are provided through a long-term contract with BCS. The procurement and commercial approaches are discussed and agreed between the LFC and BCS, to arrive at the solution that provides best value for money overall. The provision of the two replacements and the six new cars has been highlighted as an urgent requirement to manage the backlog and future training requirement of the LFC.
- 4.10. An independent procurement process will be conducted by BCS, on behalf of the LFC, to provide the appropriate solution sought by LFC's Training department.

#### *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 authority for the necessary expenditure to procure six Emergency Fire Appliance Driver training cars, and two Emergency Response Driving Instructor Assessment Course training cars, to address the existing backlog and fulfil future requirements for ERD training.
- 5.2. The maximum expenditure would be up to the amount set out in Part Two of the report as capital expenditure, and revenue expenditure, over the five-year maximum contract term. The cost of this capacity for future capital purchases beyond the initial five-year period will be considered as part of the annual budget process and capital strategy.

## **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.
- 6.3. Paragraph (b) of Part 2 of the 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 decision to approve expenditure up to the value set out in the Part 2 report, for the procurement six new ERD training cars, and an increased spend for

the existing two vehicles with enhanced performance, will therefore require approval from the Deputy Mayor.

- 6.4. The General Counsel notes that the procurement of the new vehicles shall be conducted in accordance with the V&E contract, Public Contracts Regulations 2015 and the LFC Standing Orders.
- 6.5. The statutory basis for the actions proposed in this report is provided by sections 7 and 5A of the Fire and Rescue Services Act (FRSA) 2004. Under Section 7 (2)(a) of the 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.
- 6.6. These comments have been adopted from those provided by the LFC's General Counsel Department in report LFC-24-006 to the LFC.

**Appendices and supporting papers:**

Appendix 1 – Part One of the report LFC-24-006 to 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 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**

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**

A summary of this decision was reviewed by the Corporate Investment Board on 19 February 2024.

✓

**INTERIM CHIEF FINANCE OFFICER:**

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

**Signature:**

**Date:**

22/02/2024