

Replacement and Increase of Emergency Response Driver training cars

Report to:

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

Date:

04 January 2024
17 January 2024
30 January 2024

Report by:

Mark Davidson – Deputy Assistant Commissioner in Technical Service Support
Zoe Nicholls – FLEET Project Coordinator additional author

Report classification:

For decision

For publication

I agree the recommended decision below.



Andy Roe

London Fire Commissioner

Date This decision was remotely signed on 04 March 2024

PART ONE

Non-confidential facts and advice to the decision-maker

Executive Summary

This report requests approval to replace two existing Emergency Response Driver (ERD) training cars, and purchase six new ERD training cars to provide a total of eight ERD training cars. Learning & Professional Development have requested two specifications within this purchase. One specification is for six standard performance ERD training cars for Emergency Fire Appliance Driver Training, and the other specification is for two enhanced performance cars to carry out Officer and instructor driver training, in vehicles comparable to the cars that Officers lease for themselves via the Organisations Officer Lease Car scheme.

The two existing ERD training cars maintained under the Vehicles & Equipment 2014 Babcock Critical Services contract, came on the run June 2016 and went out of contractual life in June 2021. Training have been leasing four additional cars to deal with an increased demand for ERD Training.

For the London Fire Commissioner

That the London Fire Commissioner (LFC) authorises expenditure of up to the amount set out in the Part Two report for the purposes of the purchase and maintenance of six new ERD training cars, and, an increased spend for the existing two vehicles with enhanced performance.

That the London Fire Commissioner delegates authority to the Assistant Director Procurement and Commercial to enter into a contract for the procurement of eight Emergency Response Driver Training Cars in accordance with the arrangements set out in Part Two of this report.

1 Introduction and background

- 1.1 The current vehicles used for driver training are two out of contracted life fleet cars, Ford Mondeo's, 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 & Equipment 2014 Babcock Critical Services contract. It is proposed that replacing the four end-of-lease cars with six fleet vehicles under the Vehicles & Equipment contract, that cater specifically to driver training needs would standardise the fleet and improve training efficiency. The acquisition of six additional vehicles, alongside the replacement of the two cars already under the Vehicles and Equipment contract, is essential to address various factors, including the new Section 19 Driving Standards, advancements in technology, and the skills gap within the Brigade.

1.2

Current		Proposed	
Current Vehicles used for ERD Training	Number	Proposed Vehicles for ERD Training	Number
LFB Owned Under V&E Contract	2	Replace End-of-Life V&E Contracted Cars	2
Officers End-of-Lease Cars	4	Procure 6 new ERD Training Cars	6
TOTAL	6	TOTAL	8

- 1.3 Currently, there are three training programs 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
ERDRVC	Response Car Driver Revalidation	50 (100 delegates)	1

- 1.4 To meet the current known demand, a minimum of six cars are required for training purposes. Additionally, one extra car is needed for routine maintenance rotation, and another car is necessary 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.
- 1.5 The forecast expenditure was based on a like for like replacement of the existing cars that were purchased in 2016. However, Training has updated the specification of these vehicles, and inflation has naturally led to increased vehicle purchase costs, resulting in higher than forecasted purchase costs. The increase in FLEETs Capital Budget is outlined in the confidential appendix.
- 1.6 Learning & Professional Development have advised that a revenue stream has been identified to procure six additional vehicles required to fulfil the backlog and high demand for driver training, in addition to the replacement of the existing two training cars under the V&E contract. Learning & Professional Development have provided further details on this revenue stream in the confidential Part Two of this report.

2 Objectives and expected outcomes

- 2.1 LFC is working toward carbon net zero and a more sustainable fleet. As such, LFC's aim is to procure a minimum standard of hybrid vehicles, however if electric solutions are available that meet the user specification, LFC will procure fully electric vehicles.
- 2.2 The requirement to acquire additional driver training cars is aimed at addressing the current training backlog and future demand in driver training. LFC is becoming a centre of excellence for instructor driver training and so the increase in cars and enhanced car specification will enable this to happen.
- 2.3 In addition, by purchasing all driver training cars under the Vehicles & Equipment 2014 Babcock Critical Services 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 which would eliminate the reliance on end-of-life lease cars altogether. There is also additional admin associated with keeping lease cars and making sure they don't exceed the 50,000-mile threshold. (If the lease car mileage exceeds

50,000 miles, then the lease company will charge an excess of 5p per mile). Lease cars would need to be replaced after 3-year life vs 5 years via the 2014 Vehicle & Equipment contract. Depending on which type of lease car used, the revenue budget needed whilst this is still an LFB requirement (maintenance) would work out far more expensive to run per month vs an LFB fleet car i.e. the most expensive lease car currently utilised by driver training works out to be approximately £600pm vs an LFB fleet car under the Vehicle & Equipment contract costing around £233pm. 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 and there is also a potential income to the LFB through the re-sale of the vehicle at the end of its 5-year life. LFB fleet vehicles are owned by the LFB.

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 (EIA) has been completed by Learning & Professional Development and is attached in the appendix.

4 Other considerations

Workforce comments

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

Sustainability comments

4.2 At the end of their serviceable life the cars will be sold by Babcock Critical Services Limited under the provisions of the 2014 Vehicle and Equipment Contract. The disposal process will fulfil London Fire Brigade (LFB) obligations under the Environmental Duty of Care Regulations, End-of-Life Vehicles (ELVs) Regulations 2003.

4.3 FEP2237, the 2014 Vehicles and Equipment contract with Babcock Critical Services Limited provides for the capital replacement of fleet and equipment throughout the contract period of 21 years. Under the contract, Babcock Critical Services Limited procure new vehicles and equipment and replace the existing assets at their life expiry. Babcock Critical Services Limited have policies in place relating to anti-slavery, sustainability, and anti-corruption and this is done in accordance with the specifications and approvals issued by the LFC.

4.4 A technical Sustainability Development Impact Assessment has been completed previously to ensure LFC only procure from suppliers who share our sustainability values.

4.5 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. In order 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.

4.6 This report discusses the replacement and increase of Emergency Response Driver training cars, which if replaced with fully electric vehicles or hybrid will have a positive impact relating to the Mayors Net Zero by 2030 target and air quality.

4.7 Where new policies and/or corporate projects arise, or any changes to the specification of vehicles - for example no longer hybrid or fully electric- this will be subject to the Brigade's sustainable development impact assessment process.

Procurement comments

4.8 All the vehicles and equipment to support the operation of the London Fire Commissioner are provided through a long-term contract with Babcock Critical Services (BCS). The procurement and commercial approaches are discussed and agreed between LFC and BCS to arrive at the solution which provides best value for money overall. The provision of the two replacements and six new cars has been highlighted as an urgent requirement to manage the backlog and future training requirement of the LFC.

4.9 An independent procurement process will be conducted by BCS on behalf of the LFC to provide the appropriate solution sort by LFCs Training department.

Communications comments

- 4.10** The introduction of Electric and / or Hybrid Training Cars into LFC's fleet is a pivotal element of our strategic initiative to enhance sustainability and align with municipal environmental objectives, notably the Mayor of London's decarbonization objectives. The increase in training cars from two to eight vehicles represents a substantial increase in our training capacity, enabling a more efficient and extensive distribution of skills. This is a significant step forward in the standard of training being delivered to LFC officers and to other rescue services that will take advantage of the advanced driver training opportunities. This advantage of enhanced driver training equipment will be communicated to LFB personnel as a beacon of investing in LFC staff.

5 Finance

- 5.1** This report seeks authority for the necessary expenditure to procure six EFAD training cars and two ERDIAC (Emergency Response Driving Instructor Assessment Course, which are the higher specification cars referred to in the report) training cars to address the existing backlog and fulfil future requirements for emergency response driver training.
- 5.2** The maximum expenditure would be for and up to the amount set out in part 2 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 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.
- 6.2** 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").
- 6.3** 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...". 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 2014 Vehicles and Equipment contract with Babcock Critical Services Limited, 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 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.

List of appendices

Appendix	Title	Open or confidential*
1	EIA	

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