

**Report of UTMC Manager**

**Report to Chief Officer Highways & Transportation**

**Date: 8<sup>th</sup> July 2020**

**Subject: Approval to award a new contract under Regulation 32(2)(b)(ii) of the Public Contract Regulations 2015 Negotiated Procedure without prior publication of a Contract Notice for the provision of CCTV fibre services.**

Are specific electoral wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary**

**1. Main issues**

- Fibre services for the transmission of CCTV images to the UTMC and LeedsWatch control rooms from various cameras located throughout the city are currently on an expired rolling commercial agreement with BT (Redcare).
- Leeds City Council Digital Information Service (DIS) has recently announced a partnership with BT to deliver a full fibre network. The rollout of the full fibre network is to include the provision of connectivity to all existing CCTV cameras within the next 24 months.

**2. Best Council Plan implications**

- Given the shared nature of CCTV between UTMC and LeedsWatch, this proposal will contribute to the Best Council Plan Safe, Strong Communities objective of keeping people safe from harm. It will also contribute to maintaining 'Smart City' infrastructure as set out in the Best council Plan Sustainable Infrastructure aspirations.

**3. Resource implications**

- There will be no new resource implications as a result of this decision. However, the DIS full fibre rollout will bring future revenue savings as IP communications replace the existing analogue circuits.

## Recommendations

In respect of the provision of CCTV fibre services, the Chief Officer (Highways & Transportation) is recommended to approve the award of a new contract under Regulation 32(2)(b)(ii) of the Public Contract Regulations 2015 Negotiated Procedure without prior publication of a Contract Notice for the provision of analogue CCTV fibre services with British Telecommunications Plc. This agreement would be in place for a period of up to 24 months to allow for the rollout of the DIS full fibre programme.

### 1. Purpose of this report

- 1.1 The purpose of this report is to seek approval from the Chief Officer, Highways and Transportation to enter a new agreement for the provision of CCTV analogue fibre services with British Telecommunications Plc. The recently announced full fibre rollout is proposed to replace this provision within 24 months and, consequently, expenditure will not exceed £285,000 per annum or £499,500 in total during that period.

### 2. Background information

- 2.1 British Telecommunications Plc currently provides fibre services for the transmission of CCTV from a number of cameras located around the city to the Urban Traffic Management Control (UTMC) and LeedsWatch centres based in Middleton. The previous 24 month agreement term has been for a rolling contract that allows a 90 day termination notice on circuits. This has now expired.
- 2.2 The reason for the previous decision to begin a rolling contract was due to the expectation of an imminent rationalisation exercise by LeedsWatch which would have made a number of the circuits redundant. The 90 day termination notice of the rolling contract provided flexibility to yield immediate revenue savings as and when circuits were no longer required. The rationalisation project was ultimately suspended as it was superseded by the DIS full fibre network rollout proposals.
- 2.3 The DIS-led full fibre rollout is proposed to replace all existing analogue fibre circuits within 24 months.

### 3. Main issues

#### **Reason for using Negotiated Procedure without prior publication of a Contract Notice**

- 3.1 Fibre services for the transmission of some CCTV images are currently on an expired rolling contract with British Telecommunications Plc.
- 3.2 A full fibre rollout programme is being undertaken by DIS that is expected to make the existing analogue fibre circuits redundant within 24 months. However, in the meantime it is necessary for a contract to be in place to continue the transmission of CCTV images from key locations across the city.
- 3.3 The cost of transferring to a new provider will outweigh any revenue savings that would be realised given the short term requirement for the continuation of the analogue fibre services.

- 3.4 The unforeseen 24 month interim period that is covered by this report is due to the full fibre procurement superseding a previous rationalisation exercise but then, subsequently, the procurement process and delivery of the full fibre programme taking longer than expected.
- 3.5 The incumbent for CCTV transmission services is British Telecommunications Plc. All legacy services will migrate to the DIS Full Fibre contract, also provided by British Telecommunications Plc. Due to the technical nature and scale of the CCTV transmission services provided to LCC it would be impractical to introduce an alternative contracting entity. The transfer of fibre services to an alternative supplier would be unfeasible during the interim period of the British Telecommunications Plc contracts.

### **Consequences if the proposed action is not approved**

- 3.6 If this contract were not to be approved then CCTV coverage of key areas of the road network and public spaces in Leeds would cease. This would significantly reduce visibility of the highway network for UTMC and other Highways & Transportation sections as well as losing visibility of key locations for LeedsWatch. This would reduce the ability of UTMC to control traffic and other sections, such as Network Management, to deal with network issues during a critical period for road construction of various investment programmes. It would also severely impact the ability of LeedsWatch to respond to incidents and detect crime.

### **Advertising**

- 3.7 No advertising has been undertaken due to the value of this contract and the nature of the extension (i.e. short term and finite given the imminent full-fibre rollout).

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 The Executive Board Member for Climate Change, Transport and Sustainable Development has been consulted regarding this proposal.

### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 An Equality, Diversity, Cohesion and Integration Screening has been prepared (Appendix 1) and an independent impact assessment is not required for the approval requested.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 Some CCTV is shared between UTMC and Safer Leeds LeedsWatch security service and therefore this proposal will contribute to the Best Council Plan Safe, Strong Communities objective of keeping people safe from harm. It will also contribute to maintaining 'Smart City' infrastructure as set out in the Best council Plan Sustainable Infrastructure aspirations.

### Climate Emergency

- 4.3.2 Monitoring of the road network using CCTV enables incidents on the network to be dealt with quickly and efficiently. Loss of CCTV coverage will result in problems on the network, either with infrastructure or as a result of collisions, taking longer to

resolve. Consequently, there will be a detrimental impact on emissions as a result of greater vehicle delay.

#### **4.4 Resources, procurement and value for money**

- 4.4.1 The recommendation of this report is to approve a new, short term, agreement with British Telecommunications Plc with 90 days termination notice for services. The new agreement will be for a period of up to 24 months with the value not exceeding £285,000 per annum or £499,500 in total during that period.
- 4.4.2 The 90 days termination notice will allow services to be ceased in a timely manner once the full fibre network has been rolled out thus providing immediate revenue savings.
- 4.4.3 The continuation of the current rolling contract will have no new resource implications as the value has already been budgeted for.

#### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 As a significant operational decision this report is not subject to Call In. There are no grounds for treating the contents of this report as confidential with the Council's Access to Information Rules.

The Council believes that the decision to award a new contract for provision of CCTV fibre services is permitted pursuant Regulation 32(2)(b)(ii) of the Public Contract Regulations 2015 which states:

32.—(1) In the specific cases and circumstances laid down in this regulation, contracting authorities may award public contracts by a negotiated procedure without prior publication.

(2) The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:—

(b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:—

(ii) competition is absent for technical reasons

Paragraph 3.5 sets out the technical reasons required by regulation 32 (2) (b) (ii).

#### **4.6 Risk management**

- 4.6.1 The potential risks of accepting the recommendation of this proposal are outlined in paragraph **Error! Reference source not found.** There remains a risk that a complaint could be raised that the Council has not followed reasonable procedures, resulting in a loss of opportunity, which could potentially give rise to an Ombudsman Investigation, however it is considered that this risk is low.
- 4.6.2 The risk of not accepting the recommendation of this proposal is set out in paragraph 3.6. Termination of the rolling contract with British Telecommunications Plc will effectively cease monitoring of a large number of cameras operated by both UTMC and LeedsWatch. No suitable interim measures have been identified for the provision of CCTV analogue fibre transmission.

## **5. Conclusions**

- 5.1 The monitoring of CCTV is an integral part of the service provided by Highways & Transportation, used extensively by UTMC and Network Management to keep traffic moving. It is also vital to the Communities and Environment service as LeedsWatch also utilise CCTV to respond to incidents and detect crime across the city. Consequently, the fibre services must continue uninterrupted.
- 5.2 The recently announced rollout of a full fibre network, led by DIS, is expected to supersede the analogue fibre services within 24 months. The combination of the full fibre network rollout and the private fibre network currently being installed by UTMC will enable significant revenue savings to be realised.

## **6. Recommendations**

- 6.1 In respect of the provision of CCTV fibre services, the Chief Officer (Highways & Transportation) is recommended to approve the award a new contract under Regulation 32(2)(b)(ii) of the Public Contract Regulations 2015 Negotiated Procedure without prior publication of a Contract Notice for the provision of CCTV fibre services with British Telecommunications Plc. This agreement would be in place for a period of up to 24 months to allow for the rollout of the DIS full fibre programme.

## **7. Background documents<sup>1</sup>**

- 7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

## Appendix 1

### Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate: City Development</b>	<b>Service area: Transportation</b>
<b>Lead person: Joel Dodsworth</b>	<b>Contact number: 3788128</b>

**1. Title: Approval to award a new contract under Regulation 32(2)(b)(ii) of the Public Contract Regulations 2015 Negotiated Procedure without prior publication of a Contract Notice for the provision of CCTV fibre services**

Is this a:

Strategy / Policy

Service / Function

Other

**If other, please specify**

**2. Please provide a brief description of what you are screening**

The screening process relates to the continuation of a rolling contract to provide analogue fibre services for transmission of CCTV images.

**3. Relevance to equality, diversity, cohesion and integration**

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).		
<b>Questions</b>	<b>Yes</b>	<b>No</b>
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity; cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

<b>4. Considering the impact on equality, diversity, cohesion and integration</b>
If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.
Please provide specific details for all three areas below (use the prompts for guidance).
<ul style="list-style-type: none"> <li>• <b>How have you considered equality, diversity, cohesion and integration?</b> (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)</li> </ul> <p>Consultation will be undertaken in the Wards affected if there is an obvious change to the operation of the signal installation.</p>
<ul style="list-style-type: none"> <li>• <b>Key findings</b></li> </ul> <p>(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)</p> <p>Positive Impacts</p>

- The proposal will make crossing the road easier and safer for people with mobility issues and those who are visually impaired by fitting push button units with both audible and tactile components.
- The equipment currently installed is now at the end of its current life span and can become unreliable if not replaced. New equipment will benefit all users as signal aspects will be more visible and reliable.

- **Actions**  
(think about how you will promote positive impact and remove/ reduce negative impact)

**5. If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	N/A
Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

#### **6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

<b>Name</b>	<b>Job title</b>	<b>Date</b>
Joel Dodsworth	UTMC Manager	08/07/20

#### **7. Publishing**

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to [equalityteam@leeds.gov.uk](mailto:equalityteam@leeds.gov.uk) for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to <b>Governance Services</b>	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate <b>Directorate</b>	Date sent:
All other decisions – sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>	Date sent:

## Appendix 2

### What is your reason for waiving CPRs?

There is a genuine, unforeseeable emergency meaning there is no time to go through a procurement process e.g. to deal with the consequences of extreme weather.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
To purchase supplies or services on particularly advantageous terms due to liquidation/administration.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Requirement to put a contract in place with a current provider whilst a review of the services is completed.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Ran out of time to undertake a new procurement exercise	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Other (please provide summary here)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No