

LONDON BOROUGH OF BRENT**Executive - 12 April 2005****Report from the Director of Environment**

For approval

Wards affected:
ALL**Report Title: Proposed relocation of the CCTV and
24-7 Control Rooms**

Forward Plan Ref: ES-04/05-314

1.0 Summary

- 1.1 This Report seeks approval of the Executive to award the contract for the relocation of the CCTV Operations Room.

2.0 Recommendations

- 2.1 That the Executive agree in accordance with Standing Order 85 that there are good operational and/or financial reasons why this contract should be awarded without complying with the usual requirement to tender medium value contracts.
- 2.2 That the Executive note the alternative process for awarding the contract set out in paragraphs 3.4 and 3.5 of this report.

3.0 Detail

- 3.1 The information in this Report explains the process and procedures proposed to be used for awarding the contract for the relocation of the CCTV equipment from Pyramid House to Brent House.
- 3.2 Quotations were received for this contract in October 2004. Officers dealing with the project had previously considered that the contract was a Services contract and that owing to the value of the contract a tendering process was needed under Standing Orders and EU regulations also applied. This is reflected in the previous report to the Executive ES 04/05 – 290 considered on 17th January 2005. That report set out a tendering process for the contract in accordance with standing orders and the EU regulations which was approved by the Executive but which has not been implemented.

- 3.3 Following Executive approval of that report, it became apparent on the basis of further consideration of the subject matter of the contract, that the contract should properly be classified as a works contract. This meant that while still covered by the requirement under standing orders to carry out a tendering process the contract was not covered by the EU regulation requirements concerning tendering. Because there is no EU requirement to carry out a tendering process, it is possible under Standing Order 85 to seek Executive approval to proceed on the basis of quotations already obtained rather than going back and carrying out a tendering process, if good operational and/or financial reasons can be established for this.
- 3.4 Since the first request for quotation was processed and evaluated the building requirements of the relocation project in Brent House and Pyramid House have had amendments. Consequently, the contractors that submitted the two most competitive quotations were re-interviewed. However, the principle for relocating the CCTV Operations Room and the Control Room from Pyramid House to Brent House remains as reported to Exec in ES 04/05 – ES290.
- 3.5 To advertise the contract now and seek tenders would be confusing for the contractors that have been interviewed on two occasions, and furthermore, it would delay the programme for completion. However, to avoid the impact on the service of further delays, the likely costs of the tendering exercise and the likely outcome of the tendering exercise it is with good operational and financial reasons that we seek the Executive's approval to award the contract to the best quotation and not to seek tenders.
- 3.6 An application for external funding has been made for the provision of new technology for viewing and recording the CCTV images at the new location in Brent House.
- 3.7 The timetable of action taken to arrange the proposed relocation of the CCTV Operations Room from Pyramid House to Brent House is set out below for information.

Ref.	Requirement	Response
(i)	The nature of the service.	Relocation of the CCTV Operation facilities.
(ii)	The estimated value	£240,000.
(iii)	The contract term	Estimated earliest completion date July 2005.
(iv)	The procurement procedure to be adopted.	Competitive quotation
(v)	The procurement timetable	Request for quotation October 2004 First interviews November 2004 Second interviews 30 March 2005 Officer decision 3 May 2005 Contract start date 4 May 2005
(vi)	The evaluation criteria and process	The Contract shall be awarded on the basis of the quotation which is technically and

		economically advantageous to the Council. The specific criteria used are as follows: Price and Cost Effectiveness, Technical Merit, Delivery Date, Methods and Resources, Quality Control and Quality Assurance, Post Installation Technical, Sales and Operational Support, Operational Lifetime Costs
(vii)	Any business risks associated with entering the contract.	The funding proposals outlined in paragraph 4 of this Report are crucial to the ability to complete this proposed relocation.
(viii)	The Council's Best Value duties	The request for quotations exercise will assist the Council in achieving Best Value.
(ix)	Any staffing implications, including TUPE and pensions.	None
(x)	The relevant financial, legal and other considerations.	See below.

4.0 Financial Implications

- 4.1 The Council's Contract Standing Orders state that contracts classified as Works with a value between £150k and £1M are designated as Medium Value contracts.
- 4.2 The estimated value of this contract is £240,000 and thus falls into the Medium Value category. Whilst the contract does not require Executive approval it still requires a formal tender process under standing orders.
- 4.3 The funding assumptions in the original report are no longer valid as the cost of the works will now fall wholly in 2005/6.
- 4.4 The Capital Budget 2004-05 includes a sum of £50,000 for the Control Centre for Warden Services. Of this sum, around £40,000 remains unspent, and this will be available to offset some of the estimated £240,000 costs referred to at paragraph 4.2. In addition, there is a sum of £240,000 in the Revenue Budget that has under spent in 2004-05 due primarily to recruitment delays. This underspend was used to fund a pilot Intensive Cleaning Service
- 4.5 There is now a recruitment process underway to fill vacant posts, and new recruits will not be in post until around the end of May 2005. This slippage should allow a further £12,000 to be allocated to the costs of this relocation.
- 4.6 A further direct contribution towards the costs will come from the Emergency Planning Grant, which has almost doubled from 2005-06. This contribution will be £35,000

4.7 The remaining £153,000 will become available from reduced expenditure elsewhere in the Environment revenue budget. Indicative areas where savings or funding contributions can be found at the present time are shown here:

- (a) £50k reduced expenditure on the Street Lighting PFI as the Core Investment Programme will not complete until the end of May due to earlier delays.
- (b) £35k from the staffing costs for the StreetCare Reorganisation, as the recruitment process means that recruits are unlikely to be in place before the end of May. The impact of this on the service will be that the work will have to be covered from the existing resources.
- (c) £25k from vacancies in Environmental Health that are now being recruited to.
- (d) £34k from budget growth for Shopping Parade / Public Transport Interchange cleaning, as this will not now commence until a month or so later due to priority being given to establishing the wider Intensive Ward Cleaning Programme.
- (e) £9k from the funding for a new Recycling Officer post that is currently being recruited to.

4.8 Service implications from the above will be minimised, and some of these result from natural delays in recruitment.

4.9 It is not intended that these arrangements will result in a budget “hot spot”. The Director of Environment is confident that the savings or reduced expenditure required to fund the relocation are achievable, and the Environment Board will monitor this closely from the start of the 2005-06 financial year.

5.0 Legal Implications

5.1 As advised earlier in this report, the award of the contract for the relocation of the control rooms does not require Executive approval but Executive approval is required if the contract is to be awarded on the basis of competitive quotes rather than a tendering exercise as is proposed in the body of the report. The Executive has power under Standing Order 85 to decide that there are good operational and/or sound financial reasons why Contract Standing Orders should not be complied with in a particular case. Officers consider there are such reasons in this case and these are set out in paragraph 3.5.

5.2 Section 17 of the Crime and Disorder Act 1998 provides that it shall be the duty of every local authority to exercise its various functions with due regard to the need to do all that they reasonably can to prevent crime and disorder in their areas.

5.3 Section 163 of the Criminal Justice and Public Order Act 1994 allows local authorities to install equipment for recording visual images of

events occurring on any land in their area if they consider such installation would promote the prevention of crime or the welfare of the victims of crime in their areas. This power includes the power to maintain, operate or arrange for the maintenance or operation of any such equipment.

- 5.4 As stated elsewhere in this report, the Council's CCTV facilities are also used by the Police. CCTV images (that are subject to processing on sophisticated systems such as the Council's) are "Personal Data" for the purposes of the Data Protection Act 1998 (data which relates to a living individual who can be identified from that data). Generally speaking, the Data Protection Act 1998 prohibits the disclosure of Personal Data without the consent of the data subject. However, Personal Data are exempt from the non-disclosure of information in any case where disclosure is for the prevention of crime. In addition s115 of the Crime and Disorder Act 1998 allows for the disclosure of information in such circumstances and accordingly, data sharing and the making of the Council's control rooms available to the Police should not be a breach of the Data Protection Act 1998.
- 5.5 As advised earlier in this report, the award of the contract for the relocation of the control rooms does not require Executive approval but officers have provided pre-tender considerations in this report for the information of Members. The award, however, is subject to the EU public procurement regulations.
- 5.6 The Management of Health & Safety at Work Regulations 1999 impose a duty on the Council, as employer, to make and give effect to such arrangements as are appropriate, having regard for the nature of activities....for the effective planning, organisation, control, monitoring and review of the preventative and protective measures. As an increasing number of Council employees are deployed outside of core hours the Council's ability to support and control these staff needs to develop to ensure that the risks associated with evening and night work are appropriately managed. The relocation of these facilities will enable the management of these services to be better integrated into the core management structures of the Council rather than being managed as a specialised service from specialised site.

6.0 Diversity Implications

- 6.1 The proposed relocation will mean that the facility will meet the Council's requirements in terms of accessibility.
- 6.2 In terms of service delivery, officers have screened the proposals and do not consider that there are any particular diversity issues.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 The revised proposals involve not only relocating the two existing Control Rooms to a common location within Brent House but also the

dismantling and relocating of all of the associated transmission equipment.

8.0 Environmental Implications

8.1 There are no specific environmental implications.

Background Papers

Executive Report ES04/05 – 290

Contact Officers

Any person wishing to inspect the above papers should contact Mary Murphy, CCTV Manager, StreetCare, Pyramid House, Fourth Way, Wembley, Middlesex, HA9 OLJ.

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