



Highways & Infrastructure

Report to Strategic Director, Regeneration and Environment

Title: Authority to Procure for Hostile Vehicle Measures - Wembley Stadium Area

Wards Affected:	Tokington
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Appendix 1: Drawing of the Wembley site showing location of HVM measures
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Tony Kennedy Head of Highways

1.0 Purpose of the Report

- 1.1 This report sets out the proposed Hostile Vehicle Measures (HVM), required on London Borough of Brent's road network on Wembley Stadium Event Days, to create a secure event day environment.
- 1.2 To seek approval for the purchase and installation of HVM measures as set out in this report.

2.0 Recommendation

That the Strategic Director for Regeneration & Environment:

- 2.1 Approves Officers to undertake a detailed design of the locations identified for the installation of measures.
- 2.2 Approves inviting tenders for the purchase and installation of HVM on the basis of the pre-tender considerations set out in paragraph 4.1 of this report.
- 2.3 Approves Officers evaluating tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 4.1 of this report.

3.0 Background and Development

- 3.1 Following the attacks in 2017, on Westminster Bridge, Houses of Parliament and Borough Market the Metropolitan Police Counter Terrorism Security Advisor (CTSA) approached London Borough of Brent and its partners, Quintain and Wembley Stadium, recommending that the parties consider improving the security of the road network leading into the event day area within the Borough, thereby protecting the thousands of fans that attend Wembley on stadium event days.
- 3.2 Current event day traffic management requires the Council to close Fulton Road, Engineers Way and South Way on event days to protect the heavy pedestrian movement across the Wembley Park site. Closure and opening times of roads will vary depending on the event.
- 3.3 All road closures are undertaken using signs and cones and have minimal resistance should a hostile vehicle seek to breach the closures.
- 3.4 To protect pedestrians, Police place their vehicles across the carriageway on either end of the crossing points to re-enforce the closures. Police attend sporting events as there is risk of disorder between fans. Currently there are no plans by police to attend concerts. Therefore, there is minimal means of protection to prevent vehicle incursion.
- 3.5 There is a desire to have these mitigations in place in advance of Euro 2020 in time for this prestigious tournament.
- 3.6 The ongoing development around the Wembley Park site requires that resident and business access be maintained as far as possible. Therefore, the proposed HVM measures will be installed at strategic locations to prevent vehicle incursion onto pedestrian routes and allow resident access into the new developments around the stadium where possible. Quintain will also be installing HVM measures throughout roads on their land.
- 3.7 Meetings have been held internally between Planning, Highways & Infrastructure and the Metropolitan Police to identify areas of concern. BuroHappold have undertaken a Feasibility Study on behalf of Quintain, including locations along the public highway which comes under Brent Council responsibility. Discussion on these measures have featured in the multi-agency “Best in Class” meetings, which have brought Wembley Event stakeholders together to identify and implement measures to improve customer experience at the world class venue.
- 3.8 There are in total twelve locations of vulnerability across the site. Appendix 1 shows the twelve locations from South Way to Wembley Park Station.
- 3.9 Although these measures create a safe environment for visitors attending events at the stadium, they could also be deployed to protect non stadium event crowds and possibly the Civic Centre, if required.

- 3.10 In early 2018, meetings were held with CTSA's to discuss options for the barriers and initially a gate and bollard system was considered. However, it was felt the measures did not positively contribute towards our Public Realm and therefore, in discussion with Quintain and Wembley, a sliding barrier system was identified as the preferred option.
- 3.11 A sliding barrier feature allows for access for permitted vehicles, such as service or emergency vehicles. The sliding security system can be installed in locations where even a shallow mount is impossible thereby negating the need for deep excavation, which can run into many hundreds of thousands of pounds if services need to be redirected.
- 3.12 The project cost for the supply and installation of the HVM equipment is estimated to be £1.1m.
- 3.13 The above costs are based on a manually operated system. It is estimated that a remotely operated system would add a further £300k to the estimate. In addition, remote operation will require sites to be covered by CCTV generating a further cost. Remote operation is not considered essential or cost effective to justify the increased costs, so this option is currently not being pursued.
- 3.14 Detailed investigation and design would need to be undertaken for each location to identify supporting highway works. It is estimated detailed design will cost £50k and supporting highway works £150k, bringing the total estimated cost of the scheme to around £1.3m. We will be able to refine these costs once detailed design confirms the extent of supporting highway work required.
- 3.15 We will need to engage an engineering company to undertake the detailed investigation and design. We will use our existing contractor to deliver the supporting highway work so it does not form part of the tender requirements

4.0 Pre-Tender Considerations

- 4.1 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Strategic Director of Regeneration & Environment.

Ref.	Requirement	Response
(i)	The nature of the works	The supply and installation of HVM equipment in the identified locations in Wembley.
(ii)	The estimated value.	£1.1m
(iii)	The contract term.	Estimated 6 months
(iv)	The tender procedure to be adopted.	Single stage open tender procedure as per CSO 96(b)
v)	The procurement timetable.	Indicative dates are:

Ref.	Requirement	Response																											
		Issue OJEU Contract Notice	20 August 2019																										
		Issue Invite to tender	20 August 2019																										
		Deadline for tender submissions	20 September 2019																										
		Moderation Mtg	24 September 2019																										
		Report recommending Contract award circulated internally for comment	25 Sept – 1 Oct 2019																										
		Forward Plan (Publish Report) (allow 5 working days)	2 October 2019																										
		Standstill Period (allow 10 days)	9 Oct – 21 Oct 2019																										
		Award Contract	22 October 2019																										
		Contract start date	1 November 2019																										
(vi)	The evaluation criteria and process.	<p>1. An open tender will be undertaken.</p> <p>2. The panel will evaluate the tenders against the following criteria:</p> <table border="1"> <thead> <tr> <th>Technical / Quality</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> </thead> <tbody> <tr> <td>Experience</td> <td>25%</td> <td rowspan="6">70%</td> </tr> <tr> <td>Delivery</td> <td>30%</td> </tr> <tr> <td>Resources</td> <td>15%</td> </tr> <tr> <td>Traffic Management</td> <td>10%</td> </tr> <tr> <td>Quality Monitoring</td> <td>20%</td> </tr> <tr> <td>Total for Quality/Technical</td> <td>100%</td> </tr> <tr> <th>Commercial – Cost</th> <th>Area weighting</th> <th>Overall weighting</th> </tr> <tr> <td>Commercial (Price)</td> <td>100%</td> <td>30%</td> </tr> <tr> <td colspan="2">Total</td> <td>100%</td> </tr> </tbody> </table>			Technical / Quality	Area weighting	Overall weighting	Experience	25%	70%	Delivery	30%	Resources	15%	Traffic Management	10%	Quality Monitoring	20%	Total for Quality/Technical	100%	Commercial – Cost	Area weighting	Overall weighting	Commercial (Price)	100%	30%	Total		100%
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(vii)	Any business risks associated with entering the contract.	None expected																											
(viii)	The Council's Best Value duties.	The Council has a duty under Best Value to secure cost-effective and efficient services that meet the needs of the Borough's customers. This will be achieved through inviting bids from the open market and																											

Ref.	Requirement	Response
		awarding the contract based on Most Economic Advantageous Tender
(ix)	Consideration of Public Services (Social Value) Act 2012	The bulk of the contract cost will be the manufacturing of the barriers and therefore there will be no opportunity to deliver social value through the contract.
(x)	Any staffing implications, including TUPE and pensions.	Not applicable
(xi)	The relevant financial, legal and other considerations.	See sections below.

4.2 The Operational Director Property and Assets is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

5.0 Financial Implications

5.1 The total project cost including all support work is estimated to be £1.3m.

5.2 The scheme is to be funded from the S106 Area Wide Transport contribution, subject to commissioning approval from the planning team.

5.3 The developer Quintain is currently holding the funding and must release it within 30 days' notice from the Council. Within that notice, we must provide evidence of the Council's approval of identified works including an awarded construction contract to the value of at least £100,000.

6.0 Legal Implications

6.1 The Council has a statutory obligation under the Traffic Management Act to mitigate the impact of traffic on the highway generated by events held at the Stadium. In addition, there is also the need to ensure pedestrian safety and reduce the possibility of vehicle / pedestrian conflict.

6.2 The contract falls within the definition of 'public supply contract' under the Public Contracts Regulations 2015 ('EU Regulations') and the estimated value of the contract is above the EU procurement threshold for supply contract (currently £181,302). The procurement is therefore subject to the requirements of the EU Regulations.

6.3 Based on the value of the contract, it is also deemed a Medium Value Contract under the Council's Contract Standing Orders (CSO). For such contracts which are also of a value above the EU procurement threshold, CSO 95 (a) provides

that tenders should be invited in accordance with EU procurement legislation using a relevant procurement procedure (open, restricted etc) by placing a notice in OJEU and advertising on contract finder before evaluation of tenders and award of the contract.

- 6.4 Under CSO 88(a) Chief Officers have delegated to them power to invite tenders in accordance with paragraph 9.5 of Part 3 of the Constitution and CSO 89 also provides that relevant Chief Officer should consider the pre-tender considerations (set out in paragraphs 4.1 above) prior to inviting tenders. Paragraph 4.1 of this report sets out the procurement processes that will be used and the pre-tender considerations for approval for the contract. It is considered that you have delegated authority to approve the invitation of tenders and pre-tender consideration in respect of the contract.
- 6.5 Once the tendering process has been undertaken, Officers will report back to the Strategic Director of Regeneration & Environment in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award.
- 6.6 The project will be administered using the Council's bespoke terms and conditions for this requirement.

7.0 Equality Implications

- 7.1 The proposals in this report have been subject to screening and officers believe that there are no equality implications.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 None applicable

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have reviewed the contract and while it classed as a service contract – minimum services will be delivered within the borough. The bulk of the contract cost will be the manufacturing of the barriers and therefore there will be no opportunity to deliver social value through the contract.

Report sign off:

Amar Dave
Strategic Director for Regeneration
and Environment

Park

Appendix 1 – Map of Wembley Site showing location of measures.

