

	Cabinet Decision 28 May 2024
	Report from the Corporate Director, Partnerships, Housing and Resident Services
	Leader of the Council
Authority to Award a Contract for Bobby Moore Bridge Advertising	
Wards Affected:	Wembley Park and Preston
Key or Non-Key Decision:	Non-Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt - Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
List of Appendices:	Appendix 1: (Exempt) Advertising Lease Bid Evaluation Appendix 2: Bobby Moore Bridge Tiles Report by Principal Heritage Officer Appendix 3: Location of Bobby Moore Bridge
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Rob Mansfield Head of Communications, Conference and Events 020 8937 4229 rob.mansfield@brent.gov.uk Saida Ladha Filming and Advertising Officer 020 8937 1097 saida.ladha@brent.gov.uk

1.0 Executive Summary

- 1.1 The contract for Bobby Moore Bridge advertising expires at the end of August 2024. The procurement for the new contract commenced in February 2024, with bids to be received at the end of March 2024.
- 1.2 Bobby Moore Bridge in Wembley Park has two areas available for advertising and dressing including digital screens on the two parapet walls of the bridge

and light boxes on both sides of the underpass walls of the bridge, excluding the mural with plaque dedicated to the England World Cup winning Captain Bobby Moore. Appendix 3 provides location and images of the site. It was agreed by the Chief Executive that the final award decision should be made by Cabinet. This report explains the outcome of procurement for Bobby Moore Bridge Advertising and requests a decision between the two options below:

Option A - Advertising on the parapet walls of the bridge only where the existing digital screens are located. This will not affect any of the tiled areas.

Option B - Advertising on the parapet walls of the bridge, plus the underpass walls excluding the mural with plaque.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Note that it is required to decide whether to award a contract for Bobby More Bridge Advertising on the basis of the following options:

Option A - Advertising on the parapet walls of the bridge only where the existing digital screens are located. This will not affect any of the tiled areas.

Option B - Advertising on the parapet walls of the bridge, plus the underpass walls excluding the mural with plaque.

- 2.2 Note that Officers recommend the award of contract on the basis of Option B as set out in Recommendation 2.1, namely advertising on the parapet walls of the bridge, plus the underpass walls excluding the mural with plaque for the reasons detailed in paragraph 3.2.6
- 2.3 Note the minimum guaranteed amount in respect of Option B will generate additional financial return above the required guarantee over the four-year contract period compared with Option A.
- 2.4 Note in respect of Option B the tiled mural with plaque in honour of Bobby Moore will remain on permanent display inside the underpass and will be framed by the lightboxes.
- 2.5 Approve the award of a contract for Bobby More Bridge Advertising on the basis of Option B to Quintain Ltd.

3.0 Detail

3.1. Leader Foreword

- 3.1.1 The Bobby Moore Bridge, at the bottom of the main steps to Wembley Park Station, is one of the most important arrival points to Wembley Park for the millions of visitors who attend the iconic venues in the area as well as for thousands of local residents and students living in the area. This valuable

council asset has helped support the priorities in the Borough Plan by successfully generating much needed commercial income over several years and this should continue, especially given the increasing pressure on the council's budget.

3.1.2 This site is a major gateway to Wembley Park creating a sense of arrival while providing a safe and secure welcome to the area , which is in keeping with the aims in the Borough Plan. Walking through a well-lit space during the evenings and after dark provides confidence and a feeling of safety for the community and many visitors to the many venues and amenities of Wembley Park. The social value benefits provided by the supplier include an environmentally friendly approach to their operations and opportunities for the local community to meet and build their skills. This is fully funded by the supplier and helps the council's aim to create a thriving community. The supplier also demonstrates a commitment to equality and diversity by building an inclusive workforce.

3.2 Background

3.2.1 The council requires the provision of full management of Bobby Moore Bridge advertising. It has been determined that the most appropriate means of providing the full management of Bobby Moore Bridge advertising is through the procurement of a contractor by way of a tender process. Officers obtained authority to tender by submitting a Recordable Decision Report for Bobby Moore Bridge Advertising Authority to Tender Report that was agreed on 4 January 2024.

3.2.2 Officers have considered whether the council can provide the full management of Bobby Moore Bridge advertising itself but have concluded that a contractor best provides full management of Bobby Moore Bridge advertising.

3.2.3 The underpass and retaining walls at Bobby Moore Bridge are decorated with ceramic tile murals. Appendix 2 contains a report from the Principal Heritage Officer regarding the tiles. Wembley History Society have a keen interest in the tiled area inside and outside the bridge and were advised by the Chief Executive that a decision to award a contract for advertising on one of two options would be made by members at Cabinet. The two options are:

- Option A - Advertising on the parapet walls of the bridge only where the existing digital screens are located. This will not affect any of the tiled areas.
- Option B - Advertising on the parapet walls of the bridge, plus the underpass walls excluding the mural with plaque.

3.2.4 Officers sought bids for a contract over a four-year term with no extension period on the basis of both Option A and Option B. Officers sought a minimum guaranteed income from the contractor to the council of £360,000 plus revenue share for Option A and £400,000 plus revenue share for Option B for the full contract duration. It was indicated that an annual CPI inflationary increase would be applied in years two, three and four of the contract period.

- 3.2.5 Tenders were invited on 15 February 2024 using the council's Electronic Tendering Facility. Contractors were provided with an outline specification and details of the quotation approach. 18 organisations initially expressed an interest. The results of the tender bid are listed in Appendix 1 (containing exempt information).
- 3.2.6 On receipt of bids for Option A and B, Officers considered the merits of the bids. Bids for both Options A and B exceeded the minimum guaranteed sums detailed in the tender documents. Whilst it is clear that it is for Cabinet to award the contract for advertising on either Option A or B, officers recommend award on the basis of Option B. This is due in part to the fact that Option B provides greater financial benefits for the council over Option A through the generation of additional external income. Further, Bobby Moore Bridge underpass is one of the main gateways to Wembley Stadium, and officers consider the light boxes inside the underpass as proposed in Option B create a welcoming, well-lit safe space both day and night for residents and visitors. Lighting provided by the light boxes on either side of the mural make viewing of the mural area, especially after dark, more accessible compared to only minimal overhead lights.
- 3.2.7 With Option B not all the underpass tiles will be visible, however the mural with plaque will be on permanent display as has been the practice recently under the current contract. The Heritage Officer Report (Appendix 2) mentions the plaque is of significance due to the association with Bobby Moore.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Chief Executive agreed that Cabinet should make the decision as to whether to proceed with Option A or Option B, with further information from the Heritage Officer regarding the tiles in the underpass to be included in the award report to inform the decision at Appendix 2.
- 4.2 The ward members for Wembley Park and Preston were advised of the tender and consulted regarding the tender process. They were advised the decision would be made by Cabinet.
- 4.3 The Head of Healthy Streets and Parking and the Head of Highways Management were also consulted about the continuing use of Bobby Moore Bridge for advertising, the following comments were noted:
- 4.3.1 Any advertising displays or changes should get approval in advance and should not interfere with the structure of the bridge. The tiled areas should be protected if they are to be covered with light boxes or advertising and returned to their original condition with no damage at the end of the contract period. The council should request the use of the bridge digital display screens for safety messages or crowd control during an emergency situation. This can be used if the correct sized artwork is available, new artwork will be created by the council's Design Team in conjunction with Highways for public safety messages in the case of an emergency situation.

- 4.3.2 There are planned works for the railings to be made higher above the digital panel that will not affect the display.
- 4.4 Wembley History Society had discussions with the council over the last few years regarding the display of the tiled area and were informed about the two options for tender.
- 4.5 A member of the public initiated a petition lobbying the Cabinet to 'allow the heritage tile murals in the Bobby Moore Bridge subway at Wembley Park to be put back on permanent public display, by only granting a new advertising lease for the parapets of the bridge'. This petition went live on 6 March 2024 at [Petitions \(brent.gov.uk\)](https://www.brent.gov.uk/petitions) and closed on 10 May 2024 with 114 signatures in support of this petition.
- 4.6 Transport for London confirmed through their Area Manager for Wembley Park Station they have no planned works that affect Bobby Moore Bridge during the contract period.

5.0 Financial Considerations

- 5.1 The financial proposals sought as part of the invitation to tender was as follows:

Option A - Minimum guaranteed income to be achieved over the whole contract period of four years at a minimum of £90,000 per annum plus revenue share. Revenue share means 50% of the amount by which the net revenue exceeds £135,000 per annum.

Option B - Minimum guaranteed income to be achieved over the whole contract period of four years at a minimum of £100,000 per annum plus revenue share. Revenue share means 50% of the amount by which the net revenue exceeds £150,000 per annum.

- 5.2 Option B income is currently in the existing budget.
- 5.3 Both options will cover maintenance of the underpass walls as the existing contractor manages this area and there is no council budget available to manage this area in the future. The management of the overall structure of the bridge will continue to be the responsibility of the council.
- 5.4 An annual CPI inflationary increase will be applied to the minimum guaranteed payment in year two, three and four for the option selected.
- 5.5 This is income to the London Borough of Brent for using council assets that include Bobby Moore Bridge for advertising and dressing.
- 5.6 As detailed in paragraph 3.2.6 and Appendix 1, bids for both Options A and B exceeded the minimum guaranteed sums detailed in the tender documents.

6.0 Legal Considerations

- 6.1 The value of this agreement over its lifetime falls below the threshold for concessions under the Concession Contracts Regulations 2016 (the “Concession Regulations”) and the procurement is not therefore subject to full application of the Concession Regulations.
- 6.2 The award is subject to the Council’s own Standing Orders and Financial Regulations in respect of Medium Value Contracts given the procurement is valued at more than £214,904. Whilst Medium Value Contracts would not ordinarily require Cabinet approval for the award, as detailed in paragraph 4.1, the Chief Executive agreed that Cabinet should make the decision as to whether to award contracts on the basis of either Option A or Option B.
- 6.3 It will be noted in the Heritage Officer’s report regarding the tiles in the underpass at Appendix 2, the tiles in the underpass are considered a non-designated heritage asset within the meaning in the National Planning Policy Framework but they have no legal protection. As a result, Cabinet are not precluded from awarding on the basis of Option B as detailed in Recommendation 2.5.
- 6.4 As the procurement is not subject to the full application of the Concession Regulations, the council is not required to observe the requirements of a mandatory minimum standstill period imposed by the Concession Regulations before the agreement can be entered into. However, the decision to award is subject to the council’s usual call-in period.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 The council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,
- pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.
- 7.2 Under the Public Sector Equality Duty, having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender

reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 7.4 The proposals in this report have been subject to screening and Officers believe that there are no adverse equality implications. Indeed, the supplier will provide space for council messages and supports equal opportunities and services for the community.

8.0 Climate Change and Environmental Considerations

- 8.1 The digital screens will use LED lighting and intelligent lighting control to save energy.
- 8.2 The light boxes will use individually controlled multi-LED pixels with intelligent lighting control to save energy.

9.0 Human Resources/Property Considerations

- 9.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.
- 9.2 The main bridge structure will continue to be maintained by the council.
- 9.3 The Lightboxes and any other fixings to the bridge will not prevent access to repairs or emergency and planned works.

10.0 Communication Considerations

- 10.1 The digital screens will be used by the council for 21 days per annum for campaigns and messages in line with the council's corporate communication priorities. The digital screens may also be used in the case of an emergency message.

Report sign off:

Peter Gadsdon

Corporate Director, Partnerships, Housing & Resident Services