

Notice of Non-key Executive Decision

Subject Heading:	Permission to commence a procurement process for the CCTV project
Decision Maker:	Helen Oakerbee– Director of Planning and Public Protection
Cabinet Member:	Councillor Barry Mugglestone, Cabinet Member for Environment
SLT Lead:	Neil Stubbings – Strategic Director of Place
Report Author and contact details:	Chris McAvoy Head of Enforcement and Community Safety
Policy context:	CCTV – Community Safety
Financial summary:	<ul style="list-style-type: none"> - Total estimated value for phases 1 & 2 - £2.96m; - Total estimated value for phase 3 - £500k - Then the total estimated value for the whole procurement is £3,460,000 <p>Phases 1 and 2 will be funded <i>through the capital allocations Enforcement CCTV C38020</i> £1.4m, with a further £1.6m from the <i>Housing Revenue Account (HRA)</i></p> <p>Phase three which is currently estimated to be valued at £0.5M will be funded by budget holders of other satellite CCTV owners who want to use the agreed schedule of rates to</p>

Non-key Executive Decision

	replace/upgrade their outgoing systems and is not covered by the budget above
Relevant OSC:	Places
Is this decision exempt from being called-in?	Yes, this is a non-key decision

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents x

Place - A great place to live, work and enjoy x

Resources - A well run Council that delivers for People and Place.

Non-key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The Director of Planning and Public Protection is recommended to approve the commencement of a procurement process of phase one and two of the CCTV refresh (CCTV control room equipment and town centre CCTV cameras) at an estimated value of £2.96M. This will also create a schedule of rates which can be referred to/called off from for anyone wishing to connect their systems via a further phase 3 which is currently estimated be valued at around £0.5M which will be funded by the new schemes that wish to benefit from this process.

AUTHORITY UNDER WHICH DECISION IS MADE

3.3 Powers of Members of the Senior Leadership Team

Contract powers

- (a) To approve commencement of a tendering process for all contracts above a total contract value £500,000.

STATEMENT OF THE REASONS FOR THE DECISION

The requirement is to start the procurement process to source potential providers to supply the control room technical equipment, compliant furniture, town centre cameras, transmission solutions and the purchase and maintenance of phase one systems as per the Gateway one report.

The Councils Corporate Procurement team have led this review on behalf of the service and support the recommendation of using the ESPO framework 628, Lot 1. Using a framework saves costs and resource. Other frameworks were discounted due to reasons such as expiration date or suitability. The project will be led by an external Project Manager from Cognetix who have vast experience in delivering CCTV projects elsewhere.

Current situation

The current CCTV system is old and antiquated with many cameras beyond repair due to their age and lack of replacement analogue parts. There is also a requirement to vacate the current Mercury House building and therefore a new space must be created to house the CCTV control room.

The system is also currently at risk of not being compliant with the Biometric Surveillance Camera Commissioners requirements, or the Data Protection Act.

Non-key Executive Decision

The Council's Housing and Regeneration teams is also moving forward with the development and build of 12 new housing estates, all of which will have CCTV installed as part of their Secure By Design accreditation and will require connection to a digitally enabled Control Room so that monitoring and proactive patrolling can take place.

Proposed approach

In March 2023, Cabinet approved proceeding with the overall CCTV refresh project in a phased approach. A total budget of £2.96M is currently earmarked for this CCTV project for phases 1 & 2. Plans have been approved to spend up to £2.4M on 'phase one' which is the move from Mercury House into the Library, to build a bespoke, compliant CCTV control room and to upgrade as many of the town centre cameras as required to form a new digital system.

The remainder of the current budget set aside will go towards upgrading the older, analogue CCTV cameras in the existing HRA estates in order to get them digitally connected to the control room and to work with the new estate development program to integrate, where possible, those systems into the new control room (phase 2).

Phase 3 is the integration of other standalone CCTV systems such as in satellite systems, Depots or other council assets, but whilst the procurement process will set up phase three, it will be for the satellite depots to produce the funding to connect to the new network.

For the purposes of phase three of this project, it is estimated that this may need contributors to fund up to £0.5M from their own budgets. As the size and scope of phase three is still currently being assessed, it is unclear how much work this will form. The contract will therefore have no guarantee of work or orders for phase three. However, the tender will require bidders to complete a schedule of rates applicable to orders under phase three. Phase three will then be accessible to those satellite systems that are in need of review and upgrade, to allow them to benefit from this procurement process if they decide to renew. It has become apparent via a recent audit that a number of systems are reaching the end of their compliant life cycle and will likely need renewing. This audit is an ongoing process with new systems still being found.

Phase three will be beneficial to the council as it will remove the need for those satellite CCTV scheme owners to have to carry out their own separate and standalone procurement process and will give access – via the schedule of rates - to compatible equipment which would have already been competitively procured and evaluated.

A further consideration is compliance to the Data Protection Act 2018 and the cost of not being compliant under the Act (which could be up to a £20M fine). Prior to the changes in the DPA in 2018, and prior to the introduction of the Biometrics & Surveillance Camera Commissioner, the purchasing of CCTV was treated in a similar way to purchasing furniture (for the sake of a procurement process). Seeing as CCTV now requires a great deal of legislative compliance including Data Protection Impact Assessments (DPIAs), the procurement of CCTV equipment now has to be treated more cautiously, with the quality and security of data processing being equally, if not more important, than the price of the purchased equipment.

Non-key Executive Decision

It will ensure the council consistently installs compliant systems across the borough. A further benefit is that it ensures all new CCTV equipment is compatible with the Central CCTV Control Room equipment and those CCTV scheme managers could later consider if having a 'live-monitored' system is an option they want to explore. Currently, none of these systems are compatible to enable this option.

Procurement Route

The procurement route used will be via the ESPO framework 628, Lot 1. Officers will conduct a mini competition in accordance with the framework rules and the Council's Contract Procedure (CPR) Rule 20. The procurement will include all three phases of the project.

OTHER OPTIONS CONSIDERED AND REJECTED

Do nothing – not an option as Cabinet have expressed their requirement to proceed with the project and several other projects require this to start to assist with the integration of other sites into the CCTV control room.

PRE-DECISION CONSULTATION

Engaged CCTV project manager, Strategic Procurement and Legal Procurement colleagues.
Portfolio holder Cllr Baryy Mugglestone has also been briefed.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Chris McAvoy

Designation: Head of Enforcement and Community Safety

Signature:

Date: 13th September 2023

Non-key Executive Decision

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

This report seeks approval to undertake a procurement process from the Security Surveillance Equipment and Services ESPO Framework (ESPO Framework) to purchase CCTV equipment and infrastructure.

Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that an individual can do subject to other statutory provisions limiting or restricting its use of such power. The recommendation in this report is compatible with this statutory power.

The ESPO Framework is compliant with the Public Contracts Regulations 2015. The Contract Award Notice (2022/S 000-020839/EN) was published on 16 August 2023 and the Framework Agreement commenced on 1 May 2023. Participating authorities have until 30 April 2026 to call-off a supplier from this Framework.

The Framework affords participating authorities the option of holding a mini-competition. As set out above, officers will conduct a mini competition in accordance with the framework rules and the Council's Contract Procedure (CPR) Rule 20. Tenders will be evaluated against the best price-quality ratio of 40% price 55% quality and 5% social value weightings. A waiver of CPR 18.4 must be sought in accordance with CPR 14.

FINANCIAL IMPLICATIONS AND RISKS

The value of the proposed contract is up to £2.96M, of which £2.4 million has been earmarked for the completion of phase one and the remainder to contribute towards phase two.

The procurement cost of £2.96m will be funded from the Capital budget, which at the time of this report has sufficient budget.

Initial enhanced defect maintenance costs will be covered as part of the procurement, thereafter maintenance costs will be contained within the service revenue budget.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

N/A – considered as part of the overarching CCTV refresh paper.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

Non-key Executive Decision

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The build and installation of a new, HD digital CCTV system will benefit residents and visitors to Havering as it will offer greater protection and safety. There are no adverse implications.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

N/A – considered as part of the overarching CCTV refresh paper.

BACKGROUND PAPERS

APPENDICIES

None

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed 

Name: Helen Oakerbee, Director of Planning and Public Protection

Date: 19 October 2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____