

## Commissioning and Procurement Executive Committee – 14 June 2022

<b>Subject:</b>	Traffic Control Centre Communication Services		
<b>Corporate Director/ Director:</b>	Sajeeda Rose – Corporate Director for Development Paul Seddon – Director for Planning, Regeneration and Development		
<b>Portfolio Holder:</b>	Councillor Wynter – Highways, Transport and Parks		
<b>Report author and contact details:</b>	Syd Shaw <a href="mailto:syd.shaw@nottinghamcity.gov.uk">syd.shaw@nottinghamcity.gov.uk</a> 0115 941 7878		
<b>Other colleagues who have provided input:</b>			
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Subject to call-in</b>
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b>	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £750,000 or more
taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Type of expenditure:</b>	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
<b>Total value of the decision:</b> £1,500,000			
<b>Wards affected:</b> All			
<b>Date of consultation with Portfolio Holder:</b> Ongoing			
<b>Relevant Council Plan Key Outcome:</b>			
Clean and Connected Communities			<input type="checkbox"/>
Keeping Nottingham Working			<input type="checkbox"/>
Carbon Neutral by 2028			<input type="checkbox"/>
Safer Nottingham			<input type="checkbox"/>
Child-Friendly Nottingham			<input type="checkbox"/>
Healthy and Inclusive			<input type="checkbox"/>
Keeping Nottingham Moving			<input checked="" type="checkbox"/>
Improve the City Centre			<input type="checkbox"/>
Better Housing			<input type="checkbox"/>
Financial Stability			<input type="checkbox"/>
Serving People Well			<input type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>			
<p>The Traffic Control Centre (TCC) utilises approximately 500+ telephone lines including broadband services, to monitor and control approximately 700 sets of traffic signals through the City of Nottingham and the County of Nottinghamshire. TCC also operates 300 CCTV cameras using the broadband services to monitor the highway network to Keep Nottingham Moving. Many of the lines and broadband services share both CCTV and traffic signals to minimise costs.</p> <p>BT is the current provide of this service with the current arrangement due to end imminently. To ensure a continuation of service an exemption has been agreed until October 2022 whilst a procurement process is completed. Carrying out a procurement process will ensure that best value is being sought for the council.</p> <p>A change of communication suppliers would entail re-programming over 500 broadband routers, involving both Nottingham City Council and Nottinghamshire County Council staff time, contractors time to re-program installation equipment, system downtime and an estimated cost in the region of £45K to implement. In addition to the requirement of TCC, NCC IT hold a small number of broadband contracts with different values/contract end dates/providers. It is proposed that this new contract could incorporate the small IT contracts held by NCC as and when they are due to be contracted.</p>			

**Exempt information:** None.

**Recommendations:**

1. To grant authority to conduct a procurement process for the provision of broadband and associated telephony services for a period of five years at a cost of up to £1,500,000.
2. To delegate authority to the Corporate Director of Growth and City Development to award a contract to the successful provider on completion of the procurement process.

**1. Reasons for recommendation**

- 1.1 The Council needs to enter into a compliant contract which offers best value for the Council and maintains the current operational levels of the TCC.
- 1.2 The products, services and facilities that our existing arrangement with BT provides is a perfect match with our requirements and has been since the arrangement started in 2014. Ideally, we would want to see the services continue if they offer best value to the Council.

**2. Background (including outcomes of consultation)**

- 2.1 TCC is operated and co-funded (50/50) under a longstanding SLA between Nottingham City Council and Nottinghamshire County Council. This has been in place since 1998 when NCC became a Unitary Authority.
- 2.2 As part of the SLA, TCC is required to source, amongst other contractors, a communications services provider to cover traffic signals and CCTV both in the City and County. County are recharged the cost of any communication services that fall within their boundaries.
- 2.3 Nottinghamshire County Council's recharged contribution to 2021/22 TCC communications costs of around £225K was 59% of the total invoiced by BT.
- 2.4 TCC previously utilised multi-point and radical private circuits to control and monitor traffic signals, and these were used from the mid-1970s up until 2014 when BT started to phase out these circuits. At the time BT was the only company that could provide these circuits; therefore, this contract was never tendered. When the private circuits were phased out they were simply replaced with another product from BT re broadband. It was at this point that this service should have been tendered as the service could then be supplied by numerous communications providers.
- 2.5 The change from private circuits to broadband, and CCTV fibre circuits to broadband roughly half the joint City / County Communications spend, and with modern flexible services has allowed services to expand faster than ever before.

**3. Other options considered in making recommendations**

- 3.1 It was explored with both the Procurement Team and IT to see if there was the possibility to amalgamate the TCC communication services within the existing communications contracts and frameworks that Nottingham City Council (NCC) already has in place. It was agreed with all parties that due to the level of TCC spend and the number of lines that TCC has, that there were no existing contracts that could be used to absorb the TCC services.

3.2 Doing nothing is not an option as there would be a breach of regulations.

#### 4. **Consideration of Risk**

4.1 If a valid procurement route for TCC services is not found and approved before the TCC communications spend reaches the Procurement Exemption Threshold, then TCC will be unable to pay our existing supplier (BT) for services.

4.2 If TCC communication services are suspended, then TCC will be unable to monitor and control any traffic signals leading to congestion and general highway network issues through the City and County. TCC will also lose all access to CCTV cameras that monitor the network. In effect TCC will be unable to function.

4.3 Suspension of TCC communication services will also breach the SLA between City and County for operating the Traffic Control Centre. County may well seek damages and/or refuse to pay their part of the 50/50 TCC operating costs if services are suspended.

#### 6. **Finance colleague comments (including implications and value for money/VAT)**

6.1 This decision seeks the approval to enter a new 5-year contract with the chosen supplier through the CCS Network Services framework

6.2 The Director of finance/Section 151 officer has signed an agreement to give a temporary extension in order for this department to have the time and opportunity to put the contract in place without disruption to existing services. This decision does not request an increase in spend approval

6.3 Based on previous year, the annual spend amounted to £226k net. I can confirm that a budget provision of £140k exists as part of the MTFP. As an increase in costs is not expected, there is no current pressure to consider as part of this decision.

Michelle Pullen - Senior Commercial Business Partner - 17/05/2022

#### 7. **Legal colleague comments**

7.1 There are no significant legal issues arising from this decision, subject to (1) compliance with the existing SLA that is in place with the County Council with regard to Nottingham City Council being responsible for any contracting and procurement; and (2) compliance with the Council's Contract Procedure Rules and Public Contracts Regulations 2015 in respect of any procurement activity.

7.2 Legal Services will provide any advice and support as required with regard to the drafting or review of contracts.

Naomi Vass – Team Leader, Contracts and Commercial Team - 23/5/22

#### 8.0 **Other relevant comments**

##### Procurement

A contract for the provision of communication services for the Traffic Control Centre is required to be established as soon as possible to ensure compliance.

TCC have been working with the Procurement Team to establish the best route to market to ensue best value for the Council. Framework options are being reviewed taking into consideration timescales, implementation costs and best value.

There are no procurement concerns.

Louise Dobson – Lead Procurement Officer, Products - 19/05/2022

## IT

The proposals contained within this report are supported by the IT Service. Whilst the IT Service operates network contracts that allow the connection of Council offices these are operationally different from those used by the Traffic Control Centre and could not be readily used to support the network of traffic lights and CCTV cameras that it operates. Because of this difference it is appropriate that these connections are treated under a different contractual arrangement.

Paul J. Burrows – IT Change, Projects & Strategy Manager – 30/05/2022

### **9.0 Crime and Disorder Implications (If Applicable)**

Not applicable.

### **10.0 Social value considerations (If Applicable)**

Not applicable.

### **11.0 Regard to the NHS Constitution (If Applicable)**

Not applicable.

### **12.0 Equality Impact Assessment (EIA)**

An EIA is not required as the proposal is to deliver a technical service / product to the authority which will not have an impact on colleagues and/or citizens.

### **13.0 Data Protection Impact Assessment (DPIA)**

A DPIA is not required because the broadband services for traffic signals transmit machine code data that does not include any identifiable subject information that is covered by the DPA and/or GDPR.

Broadband lines that carry CCTV video are already separately subject to DPIA for camera installations. The proposals outlined above will not change the scope of what is already in place. The broadband lines are simply a carrier of encrypted video media. The recording and viewing of any transmitted images are already covered in the Council CCTV policy document.

### **14.0 Carbon Impact Assessment (CIA)**

A CIA is not required because no changes are proposed in this document to existing arrangements that would have a carbon impact.

**15.0 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

None.

**16.0 Published documents referred to in this report**

Public Contract Regulations (PCR) 2015.