

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	2185
Author:	Jez Bailey
Department:	Resources
Contact:	Jez Bailey (Job Title: Service Support Manager, Email: jez.bailey@nottinghamcity.gov.uk, Phone: 01158763229)
Subject:	Extension of The Cloud Public Access WiFi Contract
Total Value:	£19,650 Total value of the contract. (Type: Revenue)
Decision Being Taken:	Delegate the decision to the Head of IT to extend the current contract with The Cloud (Sky) to provide public access WiFi until February 2016 when the contract will be re-let through a full procurement exercise. Provide exemption from Financial Regulations 3.29 to dispense with the requirements of the Contract Procedure Rule 5.1.1 and agree to the extension of contract through a single supplier.
Reasons for the Decision(s)	In December 2013 a project was established to trial Public Access WiFi from Loxley House. The contract was low value and at the time did not require a Delegated Decision to be sought. The trial has proved so successful that demand for the service has increased beyond expectation. Additional buildings have been added because of operational demand and currently the service is available from 22 City locations. Additional requirements are being actively sought by departments and councillors. The total value of the monthly payments made since the contract started now exceeds the internal threshold of £10,000 and will require delegated authority to continue with the current contract until a procurement exercise is carried out to ensure that best value is achieved from the market for Public Access WiFi Services.

**Other Options Considered:** Do Nothing. The contract with Sky for the Cloud Services includes a roll over clause allowing services to continue. Whilst there is no threat to continued services, the value of the contract is such that a Delegated Decision needs to be sought to continue with payments and remain within the Council's financial regulations. The original scope of the project is limiting and the public access WiFi service would not be able to be expanded to reach other sites of strategic importance. This will have the impact of degrading services for the citizens of Nottingham by limiting the number of locations that offer free WiFi access.

Recommended Option. It is recommended that the existing contract is amended to agree a final contract expiry date in February 2016. This will allow certain key sites to be added to the list of current sites to meet immediate demand for services. During the remaining 6 month contract period a full analysis of the City Council's requirements for public WiFi can be considered, costed and a procurement exercise can be held to ensure that best value is being achieved from the market place.

**Background Papers:** Not applicable

**Published Works:** Not applicable

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** None

**Dispensation from Financial Regulations:** Yes

**Consultations:** Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:** There are no Crime and Disorder implications

**Equality:** EIA not required. Reasons: There are no Equality implications

**Decision Type:** Portfolio Holder

**Subject to Call In:** Yes

**Call In Expiry date:** 05/10/2015

**Advice Sought:** Legal, Finance, Procurement, IT

**Legal Advice:** This decision includes the expenditure to date and thus relates to the total spend on the provision of WiFi.  
  
It is not considered that this procurement will give rise to significant legal concerns. Advice provided by Brian Lewis Stewart (Solicitor) on 19/08/2015.

**Finance Advice:** The total cost of this contract will be met from mainstream IT software budget for 2015/16.  
A dispensation from Financial Regulations is supported for operational reasons as outlined in the Procurement Advice.  
  
Advice provided by Susan Tytherleigh (Senior Finance Manager) on 13/08/2015.

**Procurement Advice:** Approval is required to dispense with Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29 for operational reasons to allow for a extension to the contract until February 2016 and a fully compliant value for money contract will be re-tendered by then so that no further extensions will be required.  
  
Advice provided by Paul Ritchie (Procurement Category Manager) on 12/08/2015.

**IT Advice:** The IT Service supports this proposal.  
The extension in the current contract is sought to enable a comprehensive and complete set of requirements to be developed across all Council services for public Wi-Fi access to services.  
  
Increasingly public access to internet services via Wi-Fi is an expectation of citizens. Use of digital access channels provides benefits to both citizens and the Council by providing a lower transaction cost and more flexible access to services.  
Advice provided by Paul J. Burrows (Strategy Manager) on 07/08/2015.

**Signatures**

Graham Chapman (PH for Resources and Neighbourhood Regeneration)
SIGNED and Dated: 28/09/2015
Glen O'Connell (Acting Corporate Director of Resources)
SIGNED and Dated: 15/09/2015
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 15/09/2015
Chief Financial Officer's Comments: