

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3381
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Department:	Development and Growth
Contact:	Nigel Hallam (Job Title: WPL Senior Offiocer, Email: nigel.hallam@nottinghamcity.gov.uk, Phone: 01158765653)
Subject:	Purchase of Automatic Number Plate Recognition vehicle for Workplace Parking Levy compliance and enforcement
Total Value:	£77,890 (Type: Capital)
Decision Being Taken:	<ol style="list-style-type: none">1. To approve the purchase of a replacement Automatic Number Plate Recognition (ANPR) vehicle;2. To approve Dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.2.9 to award a contract to TES Ltd;3. To delegate authority to the WPL Service Manager to award/sign the contract.
Reasons for the Decision(s)	<p>Since the introduction of the pioneering Workplace Parking Levy (WPL) scheme in 2011, a key part of the compliance and enforcement regime has been the use of a vehicle equipped with ANPR technology in order to gather robust evidence that would be admissible in the civil and criminal courts. The current vehicle/technology is 7 years old and approaching the end of its natural life (or repairs to the technology are uneconomic) and it is essential that should the existing vehicle fail that the WPL team are not left without the ability to conduct the aforementioned compliance and enforcement activity whilst another vehicle is procured.</p> <p>The data gathered by the ANPR vehicle is downloaded into a bespoke back office system that was developed by TES (Traffic Enforcement Systems) Ltd; the data is then analysed and the product used as evidence with a view to obtaining compliance by employers in terms of the number of licensed WPL places, or used in court proceedings in the event of non-cooperation by an employer. It is therefore necessary to procure any replacement vehicle and associated ANPR technology from TES Ltd to ensure compatibility with the back office system; thus dispensation from financial regulations is sought to procure the vehicle and equipment from TES Ltd.</p> <p>There is increasing interest from other Local Authorities within the UK to introduce a WPL scheme in their area using the Nottingham model, some of these authorities have expressed interest in Nottingham City Council managing and conducting key elements of the compliance operation and this includes the use of NCC's ANPR vehicle and staff, thus there is a commercial opportunity to generate revenue going forward.</p>

Other Options Considered: Not to replace the existing vehicle places the Council at risk of not being able to enforce the contentious but highly successful WPL scheme which then undermines the reputation of the scheme itself through the lack of the ability to conduct key compliance and enforcement activities which in turn leads to lost revenue opportunities through non or under licensing by employers. This option could also lead to a lost revenue opportunity of providing WPL compliance services to other local authorities.

Going out to tender - TES developed a bespoke back office system for NCC that they own the proprietary rights to; all the data that is collected by the TES ANPR vehicle is downloaded into the back office system and a complex series of algorithms is then run over the data to analyse it. It would be extremely cost and time prohibitive to go through a tender exercise to develop another back office system. The current system is very good and fit for purpose. A vehicle supplied by anyone other than TES would not be compatible with the TES back office system.

Background Papers:

Published Works: N/A

Affected Wards: Citywide

Colleague / Councillor Interests: Several Councillors are subjects of the WPL scheme in their capacity as an employee of an employer who is subject of the WPL scheme.

Dispensation from Financial Regulations: Yes

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

Crime and Disorder Implications: None

Equality: Please login to the system to view the EIA document: 181105 V5.0 Equalities Graded Green - WPL Equality Impact Assessment NH D2.docx

Social Value Considerations: N/A

Decision Type: Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

29/01/2019

Advice Sought:

Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

The proposals in this report raise no significant legal issues and are supported.

The existing ANPR vehicle requires replacement to ensure the Council is able to continue with its enforcement of the WPL scheme. The data collected by the vehicle is downloaded to a back-off system for analysis. It is therefore paramount that the vehicle is compatible with this system.

The proposals in this report seek to approve the purchase of a replacement ANPR vehicle directly from TES Ltd, who developed the back-off system. If this route was not approved the purchase would require a reprocurement of a whole new system as well as a new vehicle. This would cause significant inconvenience and substantial duplication of work and costs to the Council and is therefore not deemed viable either operationally or financially.

For this reasons given in the report the recommendation for dispensation is supported and Legal services will assist the client department as and when required to establish the necessary arrangements. Advice provided by Dionne Claire Screamon (Solicitor) on 21/12/2018.

Finance Advice:

This decision approves the purchase of a vehicle for the enforcement of Workplace Parking Levy. The cost of the vehicle is funded from the NET Earmarked Reserve. The Capital Programme will be amended to reflect this approval.

Due to the specialist nature of the of the vehicle and the required compatibility with the back-office IT system dispensation from Financial Regulations is required to purchase the vehicle directly from TES Ltd. Should the vehicle not be purchased from this supplier, WPL income collection and enforcement could be adversely affected leading to reduced income from the levy. Advice provided by Matthew Connell (Commercial Business Partner) on 03/01/2019.

Equality and Diversity Advice:

The fundamental principle has no significant equality considerations. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 04/01/2019.

Procurement Advice:

Dispensation from Contract Procedure Rule 5.1.2 is being sought in accordance with Paragraph 3.29 of Financial Regulations.

This proposal is supported due to operational reasons, as the only alternative would be to re-invest in a new back office system as well as a new vehicle which would not provide value for money.

However, it is recommended that the contract manager reviews long term requirements for additional and or replacement vehicles as well as future maintenance costs and conducts a benchmarking exercise in conjunction with procurement colleagues in 2020. This exercise will ensure that we review the suitability of this bespoke system over a longer period and confirm if the market has changed and can offer an off the shelf alternative which may provide better value for money. Advice provided by Rosalie Parkin (Category Manager) on 21/12/2018.

Signatures

Dave Liversidge (Portfolio Holder for Transport and HR)
SIGNED and Dated: 22/01/2019
Andy Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 18/01/2019
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 10/01/2019
Chief Finance Officer's Comments: