

TRDC Central Register of Exemptions

The Audit Report “Procurement and Contract Management Baseline Assessment” Recommended: “We recommend that consideration should be given to maintaining a central record of waivers and exemptions that have been approved.”

The Council's Contract Procedure Rules state:

Exemptions:

- Acquisition or disposal of Land:

These Rules do not apply to the acquisition or disposal of Land except where a lease or licence is granted as a part of a principal contract for other Works, Supplies or Services.

- Unforeseeable emergency:

Where exemption from these Rules is unavoidable due to an unforeseeable emergency involving immediate risk to persons or property or likely to give rise to major or serious disruption to the Council's services, a Head of Service and the Chief Executive or a Director may jointly approve an exemption. They must inform the relevant Portfolio Holder and make a report to the next Executive meeting on the action taken. Urgency caused by undue delay will not usually be a valid reason for an exemption.

- Exceptional Circumstances:

An exemption may be considered by the Chief Executive or a Director in exceptional circumstances. This may, for example, apply where a key supplier has gone into Liquidation, Administration or Receivership. It applies where the event will involve significant risk to a key contract and is likely to give rise to a significant disruption to a Council service. In such an event a Head of Service and the Chief Executive or a Director may jointly approve an exemption. This may, for example, be a single tender action or the use of a substitute contractor from the original tender responses to complete a contract or part of a contract. The Head of Service must make a report to the next Executive meeting on the action taken.

- Limited market:

A partial exemption may apply where a supply or service is only obtainable from a single or a very limited number of contractors. In such a case, evidence of the limited market must be provided, such as by public advertisement or detailed market research. A Head of Service and the Chief Executive or a Director may jointly approve a partial exemption. The Head of Service must make a report to the next Executive meeting on the action taken.

- Prior approval:

Other than as specified above no exemption from these Rules shall be made unless prior approval has been granted at an Executive meeting.

Record of Exemptions – Heads of Service must ensure that full details of approved waivers and exemptions are recorded in a central register held by the officer designated by the Chief Finance Officer to hold the contract record.

A record form must be completed and signed for each approved Exemption.

Approved Exemption Record Form

	Details
<p>Exemption category</p> <ul style="list-style-type: none"> • Unforeseeable emergency • Exceptional Circumstances • Limited market • Prior approval 	<p>Exceptional Circumstances and Limited Market</p>
<p>Details / Circumstances / Explanation of why an exemption was required:</p>	<p>Three Rivers District Council currently have six operational cameras within the District which are installed in locations of Rickmansworth High Street, Bridlington Road, Carpenders Park Station, Barn Lea and Swannels Walk. Each camera is re-deployable unit which has an internal hard drive.</p> <p>The cameras have been used to tackle and gather evidence in relation to high risk anti-social behaviour, exploitation, cuckooing and prolific offending.</p> <p>Currently the cameras are managed by the Community Partnerships Team, with repairs and moves being co-ordinated by the team with current contractors TYCO.</p> <p>Herts CCTV Partnership manage re-deployable cameras for other councils in Hertfordshire including East Herts District Council, North Herts District Council, Stevenage Borough Council, Hertsmere Borough Council and a number of Parish Councils.</p> <p>Hertfordshire CCTV Partnership are able to provide an extensive service to Three Rivers District Council meeting the Council CCTV requirements including:</p> <ul style="list-style-type: none"> • A Reactive Monitoring Service for Community Safety Partnership. • Each mobile camera will be dialled into 2 times a day to check connectivity by the CCTV Operators. • If a fault does arise with a camera, an engineer is sent out. If the camera can't be fixed / rebooted on site, Herts CCTV will notify Three Rivers District Council and the camera supplier WCCTV of its removal and organise WCCTV for its collection and repair. Herts CCTV will not charge for call outs. • All cameras will receive PPM every 6 months with a report provided to the council on completion. • An Operations Manager will control all data to all GDPR requirements and footage requests for the Council and Hertfordshire Constabulary, along with any third party requests that are received through their web site. • Each camera will be logged onto Herts CCTV Partnership

	<p>website. This website will be shared through the TRDC webpage.</p> <ul style="list-style-type: none"> • Hertfordshire CCTV already have an agreed SLA with Hertfordshire Constabulary for the other Districts to ensure processes are in place to share evidence. • Herts CCTV provide the Police a live feed when requested via CCTV control room. • All footage can be reviewed in the Data Suite within the control room in Stevenage by the Police. • Herts CCTV will not charge for camera redeployment when moved to a location column with existing spur. Where a new Spur is required on a location column there is a one off cost of £185 + Vat. The camera will be moved in 24 hours of all completed paperwork received. Herts CCTV have an agreement in place with Hertfordshire Highways where no Structural Testing/ licensing is required. • Signage will be provided for each Camera Location as requested in the SCC Codes of Practice. <p>The proposed re-deployable service will enable the Council to become flexible with movement of cameras to address rising ASB issues, incidents of exploitation and to prevent and deter crime.</p> <p>No other agency within Hertfordshire has partnership agreements already in place with Hertfordshire Police and Highways to allow for swift and efficient access to footage and movement of cameras.</p> <p>The proposed service by Herts CCTV is not offered through any other provider within Hertfordshire, therefore meets the exemption to tender through limited market.</p> <p>Furthermore the contract for CCTV meets exceptional circumstances for exemption due to the urgency of implementing a replacement provider to avoid significant disruption to the council's corporate plan to tackle crime and anti-social behaviour within the district.</p>
<p>Approved by (Name and date):</p> <ul style="list-style-type: none"> • HoS 	<ul style="list-style-type: none"> • Rebecca Young – Acting Head of Community Partnerships
<p>Executive meeting informed (Date):</p>	
<p>Date reported to Committee:</p>	<p>19 July 2021</p>
<p>Contract Title:</p>	<p>Three Rivers CSP CCTV</p>
<p>Vendor / Contractor:</p>	<p>Hertfordshire CCTV Partnership</p>
<p>Date Contract let:</p>	<p>1 August 2021</p>
<p>Term of Contract:</p>	<p>5 years</p>

End date:	31 st September 2026
Total Value of Contract:	£49,461.72
TRDC Contract Manager (Name and contact details):	Freddy Chester Partnerships & Projects Officer Ext. 7155
Comments / Other Information:	
Date entered onto Exemptions Register:	02/08/21
Signed by Head of Service:	Rebecca Young

Copies to:

Contract File
Head of Service
Corporate Procurement Manager
Central Register of Exemptions

Note: It has been noted that TRDC no longer have an Executive meeting. Pending an update of the Rules the advice from James Baldwin on 09/03/16 is "Having looked at Article 6 of the TRDC Constitution, I think it should be Policy and Resources. It could arguably go to Audit Committee and there does appear to be some overlap of functions, but I see this as an issue of procurement and that does fall squarely within P & R."