

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: EXTENSION OF CONTRACT FOR THE PROVISION OF AIR QUALITY DATA MANAGEMENT SERVICES TO THE HERTFORDSHIRE AND BEDFORDSHIRE AIR QUALITY NETWORK

REPORT OF : ENVIRONMENTAL HEALTH MANAGER

EXECUTIVE MEMBER : EXECUTIVE MEMBER FOR HOUSING AND ENVIRONMENTAL HEALTH

COUNCIL PRIORITY : ATTRACTIVE AND THRIVING / RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 This report seeks approval to extend the current three year contract that the Council has procured on behalf of authorities in Hertfordshire and Bedfordshire regarding management of air pollution monitoring data by a further 12 months, for the reasons set out in the report.

2. RECOMMENDATIONS

2.1 That the Council extends the existing contract with Ricardo Energy & Environment for handling of air pollution monitoring data that is due to conclude on 25 October 2019 by an additional 12 months.

3. REASONS FOR RECOMMENDATIONS

3.1 The Council's Contract Procurement Rules allow for a contract to be extended in appropriate circumstances.

3.2 The recommendation is the most appropriate and cost effective approach in fulfilling the Council's statutory duty relating to air quality monitoring and is therefore in the Council's overall interest.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 The option of moving away from a shared procurement exercise would result in the loss of the current economies of scale that ensure that the overall cost of this service to each local authority is kept low.

4.2 The shared nature of the procurement, across 13 local authorities, is a complicated and time-consuming process requiring the involvement and more relevantly the agreement of each local authority at each key stage of the procurement process. In contrast a 1 year extension has required only one decision to be made by each of the 13 local authorities. This in principle decision, subject to acceptance of this Contract Extension Report, was made by the local authorities at the Hertfordshire and Bedfordshire Air Quality Forum meeting held on the 17 July 2019 at North Hertfordshire District Council Offices. The decision has been recorded in the minutes of that meeting. Email confirmation of the agreement to proceed has since been received from all 13 local authorities.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 As per the procurement rules, consultation is required with the Executive Member for Environmental Health and Housing and the Service Director: Resources.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Council has a legal duty under the Environment Act 1995 to review and assess air quality in its areas. The Council has 3 automatic analysers in operation within North Hertfordshire in fulfilment of this duty. The 13 local authorities that are party to the current contract and will remain party to this contract extension have a total of 16 automatic analysers in operation within Hertfordshire and Bedfordshire.

- 7.2 The Hertfordshire and Bedfordshire local authorities have had a long standing collaborative relationship in relation to their air quality duties and in particular, with regard to the management of air pollution data. The reason for this is that the option to manage the capture and ratification of real-time air quality data that is being measured throughout the day and night on a 365 day a year basis is not practical for the following reasons:

- IT arrangements would be required to communicate via modem to the three NHDC analysers and manage the substantial data sets that result
- Ownership and maintenance of a webpage where real-time data can be viewed and archived reports and data can be interrogated by the public
- Insufficient staff resources and time to regularly monitor the automated collection of this data and to respond to issues where necessary
- The interpretation of the validity and identification of problems with large volumes of real-time data collected from automatic analysers requires specialist training and experience. This is also the case with the ongoing validation of the data and annual data ratification that is required for the data to be judged appropriate for submission to Defra and its use in NHDC's statutory duty to report on local air quality.
- The engagement of an external contractor to collect, manage and ratify the data collected from NHDC's and the other local authorities' analysers introduces an independent third party into the process that insulates the local authorities from allegations of data tampering.

- 7.3 In 2016, following a competitive quotation process, a contract was placed with the current supplier for a 3 year term, ending on 25 October 2019. The quotations were assessed on quality and cost grounds with the contract award being made on the grounds of being the most economically advantageous in relation to being able to meet all of the requirements of the specification. The contract values were:

- £623.55 per mobile analyser per year
- £1,025.17 per fixed analyser per year
- £107.14 per member authority for annual reporting and website hosting

8. RELEVANT CONSIDERATIONS

- 8.1 Paragraph 29.2 of the Council's Contract Procurement Rules states that if the terms of a contract allow for an extension (or the law otherwise permits), then a Service Director may, following consultation with the Service Director: Resources and the relevant Executive Member authorise an extension of a contract by up to twelve months, up to a value of £100,000.
- 8.2 The exact annual cost of the contract across the 13 authorities in Hertfordshire and Bedfordshire can vary depending slightly if an authority decides to vary their monitoring

approach but is approximately £18700 per annum. The contract extension includes a cost of living increase which is in line with that included in the original quotation. If this contract extension is approved, the four year cost of the contract will be approximately £75000. NHDC has a budget of approximately £10000.00 for its air quality work, which includes the data management covered by this contract.

- 8.3 The performance of the current contractor throughout the 3 year term of the contract to date has been exemplary.

9. LEGAL IMPLICATIONS

- 9.1 This matter relates to a contract that has been let in accordance with the Council's Contract Procurement Rules. As stated in paragraph 8.1 above, Contract Procurement Rules allow for an extension of a contract.

10. FINANCIAL IMPLICATIONS

- 10.1 The Council has existing budgets for air quality work, which cover the cost of this contract and no additional budget is required arising from the recommendation in this report.

11. RISK IMPLICATIONS

- 11.1 Air pollution is a public health issue and air quality is identified as such on the Council's corporate risk register, as there are small areas where pollution is high, in particular two areas in Hitchin where air quality management areas have been designated. The only risk relating to this matter would come from not having appropriate arrangements in place to manage the Council's air pollution monitoring data.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no additional equality implications associated with this proposal.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no human resource implications arising from this report.

15. APPENDICES

- 15.1 None

16. CONTACT OFFICERS

- 16.1 David Carr, Environmental Protection Officer (report author)
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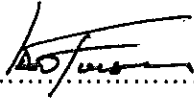
- 16.2 Peter Carey, Environmental Health Manager
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17. BACKGROUND PAPERS

17.1 None

Decision Taker

Signed:.....



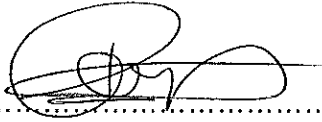
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Ian Fullstone
Service Director – Regulatory

Consultees

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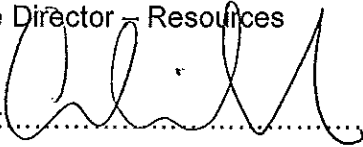


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Ian Couper
Service Director – Resources

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Cllr Gary Grindall
Executive Member – Environmental Health and Housing