

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

22 JUNE 2021

### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

#### TRAFFIC SIGNALS MANAGEMENT

#### 1. Purpose of report

- 1.1 The purpose of this report is to seek cabinet approval to suspend the relevant Contract Procurement Rules and to enter into a service level agreement with Rhondda Cynon Taf County Borough Council (RCTCBC) for the management of the council's traffic signals.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

- 3.1 The monitoring and management of traffic signals has previously been managed through the Joint Venture consultancy arrangement between Capita Redstart, Bridgend County Borough Council (BCBC), Rhondda Cynon Taf County Borough Council (RCTCBC) and Merthyr Tydfil County Borough Council (MTCBC).
- 3.2 The service monitors traffic signals and, if faults/failures are detected, arranges for attendance by a separately procured maintenance contractor.
- 3.3 RCTCBC have taken 'in-house' the management of traffic signals, which resulted in a TUPE of staff from the Joint Venture to RCTCBC from March 2021. As a result the Joint Venture no longer has the capability to continue to provide this monitoring service for BCBC.
- 3.4 RCTCBC have offered BCBC the opportunity, via a service level agreement, to have BCBC traffic signals monitored by RCTCBC with no detriment in service level or cost of service which is circa £35,000 per annum.

#### 4. Current situation / proposal

- 4.1 Traffic signals provide measures for both the expeditious and safe movement of vehicles and pedestrians. Provision of a service to monitor and adjust the

operation of our traffic signals is prudent for both public safety and effective management of the road network.

- 4.2 Consideration has been given to our own in-house provision and this suggested that apart from the requisite monitoring software and equipment there would also be the requirement for additional staffing to carry out the monitoring and technical expertise in the adjustment of traffic signals. These factors alone suggest costs in excess of £35,000.
- 4.3 Thus an arrangement with RCTCBC appears appropriate and one which provides benefits of both working with a local authority whose road network adjoins with ours as well as the shared benefit of the existing local knowledge of traffic signals and the safety implications of such systems within our valley communities. An alternative provider would not have this existing local knowledge of our traffic signals and a level of increased risk that may be inherent to public safety. It is the professional opinion of officers that the proposed agreement with RCTCBC offers excellent value for money that would be unlikely to be improved upon by going out to tender and due to the inherent familiarity with our traffic systems is optimal with regards to public safety. Given both the financial and safe working advantages this is considered the best option available.
- 4.4 It is therefore proposed that the council's contract procedure rules are suspended and the Council enter into a service level agreement with RCTCBC for Traffic Signals Management. The current consideration is for a service level agreement which whilst not having a specific end date can be terminated without cause on 31<sup>st</sup> March in any year by giving at least 12 months written notice.
- 4.5 Under the council's Contract Procedure Rules, provision of services would normally be procured through a tendering process or obtaining of quotations and deviation from this procedure requires Cabinet approval to suspend the Contract Procedure Rules.
- 4.7 Cabinet needs to be aware that by not complying with the Council's Contract Procedure Rules the Council is exposed to the risk of potential challenge from other providers of such specialist monitoring as we would be entering into an agreement without any competition which breaches the requirements of procurement legislation.
- 4.8 Officers have considered the benefits of joint working with RCTCBC against the risks of not complying with the council's Contract Procedure Rules, and believe on balance that a collaborative working arrangement with RCTCBC represents both good value, maximises public safety and is proposed as the preferential way forward.

## **5. Effect upon policy framework and procedure rules**

- 5.1 This report is requesting a suspension of the Council's Contract Procedure Rules.

## **6. Equality Act 2010 implications**

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

## **7. Wellbeing of Future Generations (Wales) Act 2015 Implications**

- 7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is outlined below in respect of the proposal:

- **Long-term**  
The intention is to provide monitoring of BCBC traffic signals that will benefit the travelling public.
- **Prevention**  
The provision of monitoring addresses risk on the highway network as the effective operation ensures safety for the travelling public which may otherwise see an adverse impact on communities.
- **Integration**  
The effective management of traffic signals benefits all modes of highway use including safety of pedestrians as well as the effective management of traffic such as cyclists, bus and motor vehicles that provides benefit to the wellbeing and economy of the community.
- **Collaboration**  
The agreement is sought with another public body.
- **Involvement**  
Issues surrounding use of traffic signals operation may arise from time to time from stakeholders, which would be considered through the monitoring provision.

## **8. Financial implications**

- 8.1 The costs of the traffic signal monitoring will be met from the highways direct services existing core revenue budget.

## **9. Recommendations**

- 9.1 It is recommended that Cabinet:
- suspends the relevant parts of the Council's Contract Procedure Rules in respect of the requirements relating to the procurement of the provision of traffic signal monitoring which RCTCBC shall fulfil;
  - delegate authority to the Corporate Director – Communities to approve the final terms of the service level agreement with RCTCBC and arrange execution of the collaboration agreement on behalf of the Council, subject

to such delegated authority being exercised in consultation with the Chief Officer – Legal, HR and Regulatory Services and Interim Chief Officer – Finance, Performance and Change.

Janine Nightingale

**Corporate Director – Communities**

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**Contact Officer:** **Kevin Mulcahy**  
Group Manager: Highways and Green Spaces

**Telephone:** (01656) 642535

**E-mail:** kevin.mulcahy@bridgend.gov.uk

**Postal Address:** Bridgend County Borough Council, Communities Directorate, Angel Street, Bridgend, CF31 4WB

**Background documents: None**