

**OFFICER DELEGATION SCHEME
RECORD OF OPERATIONAL
DECISION**



TO BE UPLOADED TO THE INTERNET BY DEMOCRATIC SERVICES

Date: 24.5.2022	Ref No: DS01.01
Type of Operational Decision: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> Executive Decision <input style="width: 150px; height: 25px; margin-left: 10px;" type="checkbox"/> </div> <div style="width: 45%;"> Council Decision <input style="width: 150px; height: 25px; margin-left: 10px;" type="checkbox"/> </div> </div>	
Status: Operational Decision	
Title/Subject matter: Continuation of the Council Streaming contract with Vidius production.	
Budget/Strategy/Policy/Compliance – Is the decision:	
(i) within an Approved Budget	X
(ii) in accordance with Council Policy	X
Equality Impact Assessment [Does this decision change policy, procedure or working practice or negatively impact on a group of people? If yes – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]	

Details of Operational Decision Taken:

In March 2020 as a result of the Covid 19 pandemic, the majority of the scheduled Committee meetings were postponed following guidance issued by Government. This impacted upon Council Committee meetings scheduled to be held in the months of April and May 2020.

This decision to review the postponement followed updated guidance issued from Central Government. Elected members/local authority representatives/clerks who were required to attend meetings were unable to do so in person. An amendment to the Constitution was considered at a meeting of Annual Council on 20th May 2020, these changes allowed Council meetings to be undertaken via Microsoft Teams and all meetings were live streamed on the Council's website.

Following discussions with IT and procurement on how best to accommodate the requirements they advised to continue to use the facility and support of Vidius Productions (formally Digital Tree). See attached exemption from Contract Procedure Rules, Appendix 1.

On the 7th May 2021 the Covid regulations that enabled virtual meetings expired and Members were required to return to in person meetings.

Following discussions at the Democratic Arrangements Forum in June 2021, The Mayor and the Leaders of the Council agreed to forward the following recommendation to Council, which was subsequently agreed:

Following adoption of the Council Motion in October 2012 in which Members agreed to stream meetings of Full Council, the Group Leaders recommend to Council that streaming of meetings going forward would include in addition to Full Council, meetings of the Council's Cabinet, the Planning Control Committee as well as meetings of the Overview and Scrutiny Committee, Health Scrutiny Committee and the Children and Young People's Scrutiny Committee.

At Cabinet in July 2021 Members considered the Transformation Strategy report which included the following commitment:


Organisation enablement;

Revenue funding for Streaming of Council Meetings of £100,000 over two years for Interim investment until permanent future hybrid meeting mode is designed and deployed. Future streaming costs will be included in the Year 2 procurement exercise, scoping will be undertaken this year.

Quote is attached below – costs for a further 12 months will be £57240.

Due to ongoing advice from Public Health and the Council's Health and Safety Department, Council Committee meetings are held in the Council Chamber.

It is therefore proposed that the Council continues to utilise the support of Vidius Productions until May 2023.

Decision taken by:	Signature:	Date:
Executive Director or Chief/Senior Officer		24.05.2022
Members Consulted [see note 1 below]		
Cabinet Member/Chair		
Lead Member		
Opposition Spokesperson		

Notes

1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Cabinet Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.
2. **This form must not be used for urgent decisions.**

Background Paper –



DAF - Meeting
Arrangements Repo



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Transformation Strategy report, agenda item 12 at Cabinet on 21 July (link to report [here](#)).

Quote from Digital Tree



Quote May
2022.pdf

Details of meeting to be covered

Meeting	Date	Venue	Length	Start time	Dem Services Officer
Council and Mayor Making	25.5.2022	Chamber	4 hours	14:00	Julie
Planning	31.05.2022	Chamber	2 hours	19:00	Michael
Cabinet	01.06.2022	Chamber	2 hours	18:00	Philippa
Overview and Scrutiny	15.06.2022	Chamber	2 hours	19:00	Chloe
Health Scrutiny	22.06.2022	Chamber	2 hours	19:00	Chloe
Planning	28.06.2022	Chamber	2 hours	19:00	Michael
Children and Young People Scrutiny Committee	30.06.2022	Chamber	2 hours	19:00	Chloe
Cabinet	13.07.2022	Chamber	2 hours	18:00	Philippa
Overview and Scrutiny	19.07.22	Chamber	2 hours	19:00	Chloe
Council	20.7.2022	Chamber	4 hours	19:00	Julie
Health Scrutiny	21.07.2022	Chamber	2 hours	19:00	Chloe
Planning	26.07.2022	Chamber	2 hours	19:00	Michael
Planning	30.08.2022	Chamber	2 hours	19:00	Michael
Overview and Scrutiny	06.09.2022	Chamber	2 hours	19:00	Chloe
Cabinet	07.09.2022	Chamber	2 hours	18:00	Philippa
Health Scrutiny	20.09.2022	Chamber	2 hours	19:00	Chloe
Council	21.9.2022	Chamber	4 hours	19:00	Julie
Children and Young People Scrutiny Committee	22.09.2022	Chamber	2 hours	19:00	Chloe
Planning	04.10.2022	Chamber	2 hours	19:00	Michael
Overview and Scrutiny	01.11.2022	Chamber	2 hours	19:00	Chloe
Cabinet	19.10.2022	Chamber	2 hours	18:00	Philippa
Planning	08.11.2022	Chamber	2 hours	19:00	Michael
Health Scrutiny	09.11.2022	Chamber	2 hours	19:00	Chloe
Cabinet	16.11.2022	Chamber	2 hours	18:00	Philippa
Council	23.11.2022	Chamber	4 hours	19:00	Julie
Children and Young People Scrutiny Committee	24.11.2022	Chamber	2 hours	19:00	Chloe
Planning	13.12.2022	Chamber	2 hours	19:00	Michael
Cabinet	14.12.2022	Chamber	2 hours	18:00	Philippa
Cabinet	11.01.2023	Chamber	2 hours	18:00	Philippa
Overview and Scrutiny	12.01.2023	Chamber	2 hours	19:00	Chloe
Council	18.1.2023	Chamber	4 hours	19:00	Julie
Planning	24.01.2023	Chamber	2 hours	19:00	Michael
Health Scrutiny	25.01.2023	Chamber	2 hours	19:00	Chloe

Children and Young People Scrutiny Committee	02.02.2023	Chamber	2 hours	19:00	Chloe
Overview and Scrutiny	09.02.2023	Chamber	2 hours	19:00	Chloe
Cabinet	15.02.2023	Chamber	2 hours	18:00	Philippa
Planning	21.02.2023	Chamber	2 hours	19:00	Michael
Council	22.02.2023	Chamber	4 hours	18:00	Julie
Children and Young People Scrutiny Committee	07.03.2023	Chamber	2 hours	19:00	Chloe
Cabinet	15.03.2023	Chamber	2 hours	18:00	Philippa
Health Scrutiny	16.03.2023	Chamber	2 hours	19:00	Chloe
Planning	21.03.2023	Chamber	2 hours	19:00	Michael
Council	22.3.2023	Chamber	4 hours	19:00	Julie
Overview and Scrutiny	23.03.2023	Chamber	2 hours	19:00	Chloe
Cabinet	19.04.2023	Chamber	2 hours	18:00	Philippa
Planning	25.04.2023	Chamber	2 hours	19:00	Michael

REQUEST FOR EXEMPTION UNDER CONTRACTS PROCEDURE RULE 2

This form must be completed and returned to the Head of Strategic Procurement & Project Planning whenever an exemption from Contracts Procedure Rules is sought.

Exemptions must be obtained in advance. Adequate time must be provided for the application to be considered, with sufficient time for tendering if the application is refused.

In order to obtain an exemption you must first demonstrate that you have investigated the market for the works/services/goods to be procured.

Evidence of market investigation

Please provide details of investigations undertaken:-
(Include details of length and value of proposed contract)

At the commencement of lockdown, all scheduled public meetings timetabled were postponed following guidance issued by Government. This impacted upon the majority of council Committee meetings scheduled to be held in the months of March, April and May 2020.

Under the Local Government Act 1972 (as amended), meetings and therefore decisions of a local authority had to involve persons present at the same time and voting. Subsequent legislation has made provision for access to agendas, reports, minutes and the attendance of the press and public at meetings. The current Covid 19 pandemic has revealed that it is not always possible to physically attend meetings and ensure access hard copies of documents. The Government has therefore passed The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (Coronavirus Regulations) which came into force on 4 April 2020, to deal with those issues.

The regulations provide for flexibility as to when meetings take place and their frequency. However, more importantly the Regulations allow for persons attending meetings to be in different locations and for Members to be deemed to be in attendance at the meeting as long as they can hear and be heard by other Members and the public present; and where practicable, be seen by all present.

At the meeting on 16 April 2020, Bury's Emergency Powers Group (EPG) agreed to use national legislative flexibilities to resume a proportionate amount of municipal governance virtually. Amendments to the standing orders within the Constitution were then made at the Annual Council meeting to provide for such meetings and the procedures that will apply. The meetings cycle was resumed in a managed way in order that appropriate democratic decision making returned and initially meetings dealt with urgent matters and work related to the emergency / recovery only.

Members of the EPG agreed that meetings of Cabinet and Scrutiny and other regulatory and non-regulatory committees/panels, would proceed

subject to the appropriate technology being in place, with all Members being present. The meetings would be streamed and there will continue to be a public questions session at the start of these meetings.

Members agreed to an implementation timetable and practicalities for a return to normal business using Microsoft teams as well as an urgent review of Councillors IT equipment.

This has been undertaken and all elected members are now fully resourced with relevant IT equipment.

Following discussions with the Council's IT department in terms of how best to accommodate the recommendations in relation to public access to meetings, the Department advised to continue to use the facility and support of Digital Tree. The Procurement department advised to proceed with Digital Tree in the intervening period prior to the commencement of a full procurement process.

Due to the urgency of the situation and the lack of capacity with the Council's own IT department, Digital Tree the Council's current provider were instructed to expand the scope of their provision to include all Council committee meetings, to accommodate the Covid regulations.

Since the establishment of remote meetings Digital Tree have supported over 35 Council Committee meetings. A pricing matrix is attached, and no charges are incurred for meetings less than 30 minutes.

These Coronavirus Regulations are effective from 4th April 2020 and apply to meetings held before 7 May 2021 unless amended or revoked by further legislation. The Council has therefore temporarily amended its Council procedure Rules (standing orders) to make provisions for voting, Member and public access to meetings and documentation.

At a meeting of the Democratic Arrangements Forum on 7th October 2020 Members agreed to continue with the current provider and commence a procurement exercise that will enable a new contract to commence at the start of the municipal year.

There current contract (streaming of Full Council meetings) is revenue funded. There is no budget for the additional costs associated with streaming all Committee meetings to accommodate the Covid Regulations. The new procurement contract will be for three years, monitored by the Head of Democratic Services, with updated Key Performance Indicators.

There has been no previous exemption for this contract.

Contract Value – Estimated at £3500 per month April 2020 to April 2021 (additional ad hoc meetings as required). Monies will be made available from funding provided by Central Government to support the response to the pandemic .

There is no data sharing agreement in place.

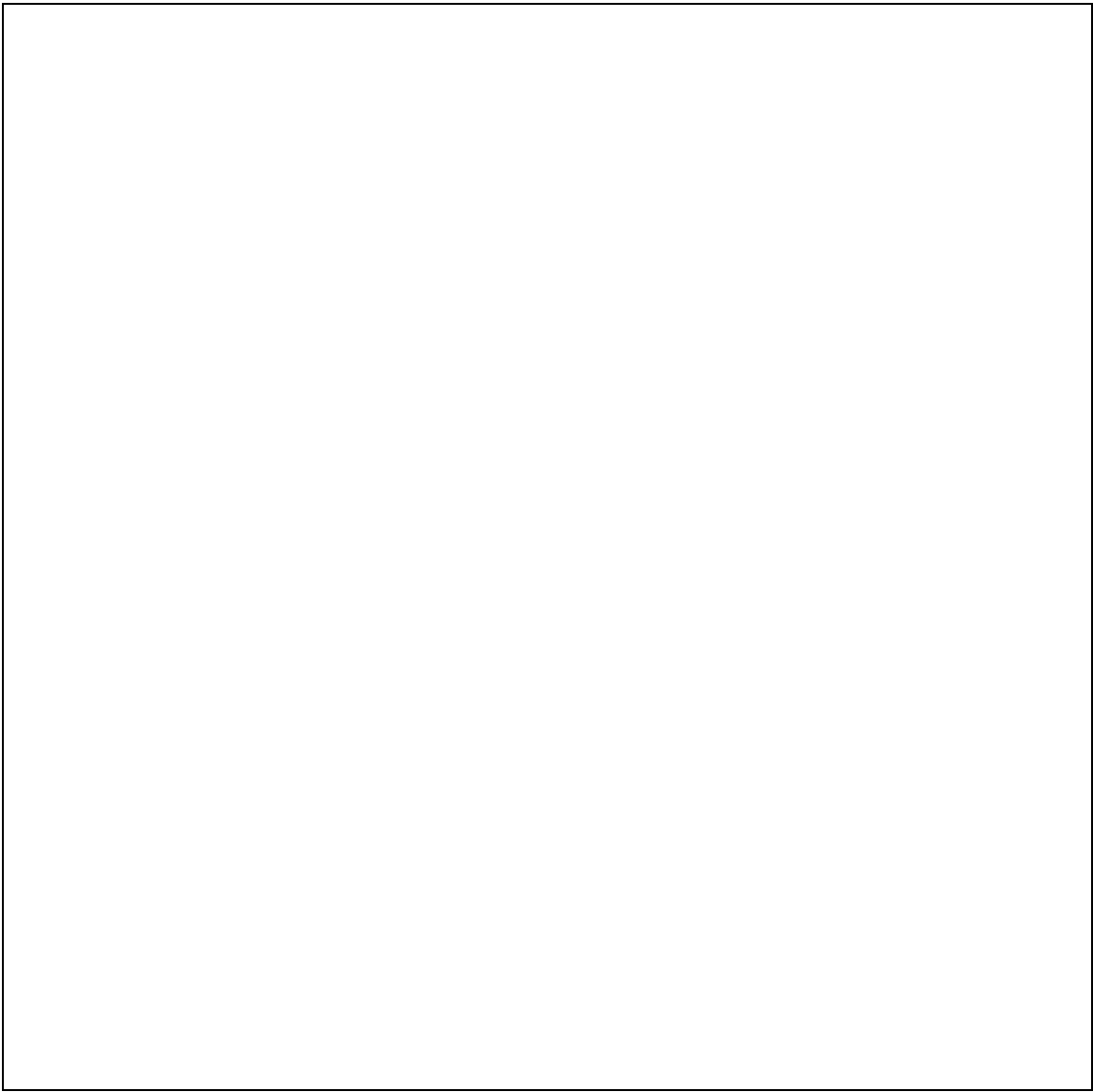
Recommendation

The most economically advantageous outcome will be achieved by awarding a contract from April till November 2020 to :-

Name of contractor – Digital Tree Media Ltd
Address of contractor 21 Broad Street, Bury, BL9 0DA
Classification of contractor Small
Company registration number 08979146 VAT number is GB213841137

From November 25th to April 2021

Name of contractor – John Coles, Vidiu Productions Limited
Address of contractor 218 Mayfield Road, Ramsbottom, Bury, BL0 9TB
Classification of contractor Limited Company
Company registration number 13104558



Having undertaken appropriate market investigation I confirm that

Circumstance	Please Tick/Provide Details
There is only one person who is available or capable of carrying out the works or providing the goods or service and there are no reasonable alternatives available	Due to the spend and the requirement to move to digital meetings due to the pandemic there was no opportunity to commence a procurement contract.
There are other circumstances which are so genuinely exceptional that the EC Treaty principles of fair competition, transparency and equality are not applicable*	

* does not include urgency due to delay in procurement or lack of resources to comply with the Rules

Completed by	Julie Gallagher
Job Title	Head of Democratic Services
Service/Department	Corporate Core
Date	January 2021
Approved by Executive Director	
Date	
Approved by Section 151 Officer	
Date	

Statement from the Head of Strategic Procurement

Agreed by Chief Executive	
Signed:	
Date:	

This quote is to cover 106.5 hours (estimated) of streaming, production and recording along with the web services related to those for both live and archival use. It is also inclusive of any equipment needed for that production such as the computers for streaming. The council chamber has most of the equipment needed (mainly the microphone system) that would increase the cost if meetings were needed to take place in other rooms.

If meeting room A and B were to be used we'd have an additional fee of £400 (ex VAT) per day (so if there are two meetings in there on the same day it would be a single charge) for the additional equipment needed to service the rooms (cameras, microphones etc).

The total for having staff as needed on site to facilitate the production, hosting of the service, and related equipment comes to £450 (ex VAT) per hour of meetings. We include time to set up and clear up and additional equipment that is not part of the room in those costs. The only external requirements we have for these meetings are an internet connection and power. The production itself includes redundant audio and video recordings as a backup option should anything happen to the main recording. We record the master output both locally and in the cloud to provide an archive available to the public around 2 minutes after the meeting has concluded. We have built a good relationship with staff at the council and value our customer service. We don't charge extra for support, provision of recordings, servicing of anything related to the streaming etc.

There is no limit or additional charge for archived meetings for as long as you're an active customer but you are able to hide meetings from public view with a retention policy you desire.

In total 106.5 hours of streaming would come to £47,925 (ex VAT) which works out cheaper than the current pricing which is done on a meeting by meeting basis. Additional meetings/hours would be charged at the reduced hourly rate as well.

Off site Costs:



Quote # QU0018
Streaming.pdf