

Birmingham City Council

Report to Cabinet Member

8 June 2022



Subject: City Centre Access Control Bollard Replacement
Report of: Rob James, Strategic Director – City Operations
Relevant Cabinet Member: Councillor Brigid Jones, Deputy Leader

Relevant O&S Chair(s): Councillor Sir Albert Bore - Co-ordinating Overview and Scrutiny Committee

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Ladywood (City Centre)		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential.		

1 Executive Summary

- 1.1 The current access control bollard system, situated at High Street / New Street, has reached end of life and has completely failed.
- 1.2 This asset, although not a “rated” product, provides protection to pedestrians in a critical part of the city, whilst allowing legitimate users access for essential work and deliveries.

- 1.3 Due to time constraints and costs pressure, work to replace the bollards at these two locations have been implemented at the cost the total cost of £235k.
- 1.4 Birmingham City Council has a number of responsibilities to keep users of the city safe and protected from a range of threats, specifically Vehicle as Weapon. The requirement for BCC to do more and provide enhanced protection is only going to increase, most notably with the imminent Protect Duty launch, requiring protection of publicly accessible places
- 1.5 The two sites have been plagued with issues over time and are frequently impacted by vehicles. Maintaining their operational readiness has been a challenge, with only 1 provider able to support the installation, who have now withdrawn the legacy support to this asset
- 1.6 Following an impact and failure of the asset the lack of operation creates two significant weak points in the separation between vehicles and pedestrianised areas.
- 1.7 Hostile Vehicle Mitigation measures in the City Centre has required a temporary, manual system to be in place to maintain safety whilst options developed
- 1.8 An urgent replacement system is required both for normal business and in time for the games, the manual cover is unsustainable. The replacement system must be PAS rated (to protect against vehicle as a weapon attacks), to maintain the safety of the space and also fit within the existing infrastructure to avoid major works and ensure urgent scheme delivery.
- 1.9 A safe City supports the outcomes for all of the Council's strategic values.
- 1.10 A number of key factors required urgent action and commitment to replace the installation:
 - 1.10.1 Timeline - a quick turn around was required and there was limited time before the CWG
 - 1.10.2 CWG - requires functioning and reliable assets and also places a number of pressures and expectations on this equipment
 - 1.10.3 Rising Costs - cost increases were immediately to be 10%, further cost increases were expected, especially if work was pushed back until September
 - 1.10.4 Fallback manual system costs - to implement the manual temporary system cost c£20000 per month, in addition it does not over the complete level of protection the access control bollards provide
 - 1.10.5 Critical Infrastructure - these assets provide a level of protection to users and manage vehicles in protected spaces at key times, enforcing the TTRO
- 1.11 This report seeks to inform members of the actions taken and the justification for those actions and deviation from procurement rules.

2 Recommendations

- 2.1 Members are asked to note urgent works have been carried out to replace critical infrastructure at High Street.
- 2.2 Members are asked to note urgent works have been carried out to replace critical infrastructure at New Street.
- 2.3 Members are further asked to note that this report is retrospective in respect of authorisation in line with the Procurement Governance Arrangement and Scheme of Delegation

3 Background

- 3.1 In 2022 Birmingham will also host the CWG, this will see the eyes of the world on Birmingham and will increase activity and footfall within the City Centre, to unprecedented levels, making it critical that a robust, high-quality public realm security infrastructure exists.
- 3.2 The current access control system provides an essential operational function and has been insitu since 2003. It was installed to enforce the Traffic Regulation Order (TRO), in that vehicle access is restricted between the hours of 10am-6pm, to allow for pedestrianisation of the central retail area, (with the exception of identified service vehicles).
- 3.3 The existing access control system has completely failed and is obsolete, with no manufacturer support.
- 3.4 The existing installation is not PAS68 rated, (Publicly Available Specification - which is a British Standard identifying impact test methods, tolerances, test vehicle type and performance criteria that needs to be met by an access control / bollard system) and therefore offers only visual protection.
- 3.5 The current system has become aged and during the last 20 years of use the bollards have been subject to many collisions; flooding of bollard drainage pits; numerous mechanical and electrical failures - they have reached end of life and are beyond repair, both economically and because the current installation is now obsolete.
- 3.6 The manufacturer and UK agent now refuse to undertake any work to the equipment and no other UK supplier is willing to work on them.
- 3.7 The Council is currently incurring a significant cost (c£20k per month) on a monthly basis to physically resource the access control, utilising the National Barrier Asset (NBA). This budget pressure cannot continue.
- 3.8 There is increasing pressure to reduce reliance on the National Barrier Asset in the city, which will soon also incur rental costs from National Policing. This solution will remove the reliance on National Barrier Asset in the city and indicate to

partners our commitment to delivering a permanent Hostile Vehicle Mitigation scheme.

- 3.9 This replacement installation should be seen as a medium term solution (3-7yrs), using existing infrastructure providing protection until the wider City Centre scheme is installed with the correct rated products in their new locations. This system maybe relocated under the wider City Centre work to maximise its value.

Current situation:

- 3.10 These bollards are a significant part of the operation of the City Centre, the manual replacement is very labour intensive and provides periods of no protection.
- 3.11 The current scheme provides a pedestrian zone in a critical area of the city with significant footfall and retail activity. This location requires protection and separation from vehicles, whilst enabling some legitimate access eg Emergency Services and deliveries.
- 3.12 There will be significant additional footfall within the City Centre as the Commonwealth Games approaches both cultural and sport programmes. Pedestrian safety is paramount in this area.
- 3.13 As part of the security and safety measures for the City Centre, to protect citizens and infrastructure from any potential terrorist using vehicles as a weapon, Hostile Vehicle Mitigation measures are in place (by means of the National Barrier Asset), a permanent solution (as outlined) is urgently required, replacing the failed infrastructure with a rated solution is advantageous, not to mention easier to manage than the NBA, and looks and feels better for users and provides protection.
- 3.14 Installing none rated hardware offers no protection, would fall short of the standards expected in the Protect Duty due 22/23 and requires us to install a rated and certified product urgently.
- 3.15 Currently, the failed access control system provides two unacceptable weak points at both entrance and egress (High Street and New Street).
- 3.16 The replacement of this access control system was initially considered within the City Centre public realm works, a future and worked Hostile Vehicle Mitigation scheme is being developed for the city and will impact this location, however, due to the scale of this scheme, CCPR and CWG, it is not expected that this solution will deliver protection in this location for 3-7 years, requiring action now.
- 3.17 There is an expectation of BIDS (Business Improvement Districts), retailers, partners and internal BCC teams for us to now urgently act - a number of partners were highlighting safety concerns if we did not do so urgently.
- 3.18 The temporary solution left the area exposed at certain times and was both labour intensive and not as robust as the integrated and monitored system.

4 Options considered and Recommended Proposal

- 4.1** Following termination of support for the assets an urgent options review was undertaken.
- 4.2** The critical function the asset provides; protection the sites offer to the City Centre users and the cost of the temporary measures, highlighted the need for urgent action.
- 4.3** Options meeting the ground installation, budget, timeline and to provide rated equipment are limited, several options have been considered. These are detailed below. It also became clear that price rises and supply issues were impacting the suppliers - a £25k price rise was to come into effect with an expectation of further rises and increased costs.
- 4.4** The rated Hostile Vehicle Mitigation market is small, with a supplier catalogue published by CPNI to enable comparisons of products in the sector.
- 4.5** Resilience undertook an options analysis, including market availability, engaging with key stakeholder and reviewed costings, for an appropriate replacement system, options as follows:

Option 1 - Wait - with Replacement under the Public Realm Project

Discounted due to the pressures, risk and rising costs. Public realm may only deliver in 2-3 years.

Option 2 - Replacement with Heald Matador,

Replacement with Heald Matador sliding bollard system (CCPR new site equipment), (PAS rated at 18-tonnes at 40mph) – approximate cost £350K. Solution due to shallow mount options removing many of the extensive site survey requirements.

Cost prohibitive to deliver outside of the public realm programme and postponement of that entire programme puts this delivery beyond the Commonwealth Games.

This product will also require extensive work to locate in the required location, or identification of a new site and remedial work to the existing site which makes this not viable, too costly and unable to be delivered in time.

Option 3 - Meeson Rise and Fall system - *Selected Approach*

Replacement utilising available funding - Meeson rise and fall bollard system, (PAS rated at 7.3-tonnes at 30mph) – at a cost of £235K.

This is the preferred option to meet both financial commitments, protective security requirements, (rated scheme to a higher standard than the current installation and meeting the reasonable vehicle impact risk identified in that location until a final designed HVM scheme can be specified as part of a city wide scheme), the existing

infrastructure constraints (the suppliers have assured this system will be compatible with the existing groundworks) and City Centre/CWG timescales.

This product is a more mainstream “off the shelf” HVM solution balancing risk, installation time and availability.

To ensure urgent delivery and prior to CWG, the contract needed to be procured with immediate effect, to ensure delivery before the commencement of the Commonwealth Games – full installation and commissioning of this system is estimated to take 23wks.

Option 4 - Avon Barriers - Supply only

Supply and commission only - a rise and fall PAS rated bollard, (Avon Barriers), civil works to be completed by others – initial costings indicated this would exceed budget available and therefore not pursued, as option not deemed contractually viable. This option also risked more significant work and may not have been deliverable within the available timeframe

Option 5 Like for Like Replacement

Replace like-for-like – option not pursued.

A like for like scheme would not be a PAS rated and compliant system and therefore offer no protection from any deliberate or accidental vehicle incursion (weight or speed) and would fail to offer any protective security benefits.

It would not comply with any standard and not acceptable now or when future duties come on line, this was also considered to be a short term solution with little residual value.

Option 6 - Do nothing

Discounted due to the risk and importance of the sites and events coming to the city.

4.6 Summary

In summary, 6 options were considered:

Option 1 – Wait for the CCPR scheme-.

Option 2 – Install Heald solution (shallow base)

Option 3 – Meeson Rise and Fall system

Option 4 - Avon Barrier Supply only

Option 5 - Like for Like replacement - Not rated

Option 6 – *Do Nothing*

Option 3 was selected due to the compatibility with the current groundworks, speed of delivery/installation, the product being a rated offering an enhanced protection improving public safety and the cost being within the available budget.

5 Consultation

- 5.1 Partnership input has been sought through various existing groups including the HVM group and with retailers through City Centre Management.

6 Implementation and delivery

- 6.1 Due to time pressures, risk, sensitive nature of this system, the limited suppliers of this type of product and products that will work in the existing infrastructure, there will be a requirement to use both our existing contractors and directly approach the only supplier able to deliver the required product as outlined in the options above.
- 6.2 This will therefore require an amendment in the contract of one of our existing contractors and single supplier negotiations. Given the time pressures, urgent support will be required to facilitate this, there are little if any other options with a high risk if action is delayed.

7 Compliance Issues

- 7.1.1 The area concerned is protected by a Traffic Regulation Order, which these bollards enforce. Without this asset the TRO is not enforced.
- 7.1.2 A safe and secure games is a core requirement of, and a specific priority of, the Birmingham City Council Plan 2018-2022. This site is a significant area of the City Centre, with high footfall, applying the Publicly Accessible Places principles soon to be a requirement in the Protect Duty requires a rated solution for the prevention of vehicles.
- 7.1.3 The enhanced infrastructure will not only support the operational activity of the City Centre, preventing temporary measures being used which operate outside of the designated area.

7.2 Legal Implications

- 7.2.1 Under S111 local government Act 1972 the council is empowered to do anything which is incidental to its statutory powers and duties.

Data Protection

The requirements of the Data Protection Act 2018 and Human Rights Act 1998 have been taken into consideration in terms of the processing, management and sharing of data involved in these proposals

7.3 Financial Implications

- 7.3.1 The report is seeking retrospective approval to replace 2 separate sets of rated access control bollards at a total cost of £0.235m. This will be funded from the existing service revenue budget for Equipment Maintenance with £0.100m within 2021/22 and £0.135m in 2022/23. Budget line RTA70.
- 7.3.2 The upgrade will save officer time and reduce repair costs, supporting wider control centre activities. It will also enhance protective security and prevent failures through equipment age and resistance to damage.
- 7.3.3 Supplier cost were due to increase all quotes by a minimum 10% due to rising commodity costs, suppliers could not rule out (and expected) further rises. This further impacted the requirement to use officer delegations and act, a minimum 10% increase would have exceeded the available budget and timeline, not to mention risk further costs.

7.4 Procurement Implications (if required)

- 7.4.1 Procurement support and direction was taken throughout the process and input into the options.
- 7.4.2 Due to the urgent timeline and nature of the work, before the games, it was necessary to delegate authority and use our current contractor to deliver this work and procure the system on our behalf.
- 7.4.3 There are a limited number of suppliers that are able to supply these systems, which becomes further limited when the requirements and existing infrastructure is overlaid.

7.5 Human Resources Implications (if required)

- 7.5.1 No implications, no new staff will be employed to undertake the project and there are no TUPE implications.

7.6 Public Sector Equality Duty

- 7.6.1 None of the issues identified in this report have an adverse impact on any of the protected groups.

7.7 Environment & Sustainability Assessment

- 7.7.1 This is a replacement to the existing asset - it is expected its operation will be more efficient than the past installation.

8 Appendices

None

9 Background Documents

9.1 Delegated Authority Decision form.