

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT PLANNING & TRANSPORT COMMITTEE		
DATE:	7 th JULY 2022	AGENDA ITEM:	
TITLE:	STREETLIGHTING MAINTENANCE TERM CONTRACT 2022/23 TENDER & CONTRACT AWARD		
LEAD COUNCILLOR:	COUNCILLOR TONY PAGE	PORTFOLIO:	CLIMATE STRATEGY & TRANSPORT
SERVICE:	ENVIRONMENTAL & COMMERCIAL SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	SAM SHEAN	TEL:	0118 9372138
JOB TITLE:	HIGHWAYS & TRAFFIC SERVICES MANAGER	E-MAIL:	sam.shean@reading.gov.uk

1. PURPOSE OF THE REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to inform the Committee of the procurement process for the Streetlighting Maintenance Term Contract and to seek authority to enter into an interim arrangement using the Peterborough Council Framework Contract for up to 2-years to deliver the essential maintenance of the Council's streetlighting assets.
- 1.2 To provide delegated authority to enter into the interim contract with Peterborough Council's term maintenance contractor.
- 1.3 To provide authority for the Council to tender the Streetlighting Maintenance Term Contract within the next 2-years in accordance with the Public Contracts Regulations 2015 and to bring the results back to Committee to obtain authority to award the contract to the successful tenderer after the tendering process is completed.
- 1.4 Appendix 1: Financial Implications Report

2. RECOMMENDED ACTION

- 2.1 That the Committee grant approval to enter into the Peterborough Council Maintenance Term Framework Contract.
- 2.2 That the Committee grant approval to enter into a short-term (up to 2-years) contract with Peterborough Council's term maintenance contractor,

in accordance with the Council's Procurement Rules & Public Contracts Regulations 2015.

- 2.3 That the Committee grants delegated authority to the Executive Director for Economic Growth & Neighbourhood Services in consultation with the Lead Councillor for Climate Strategy & Transport, the Assistant Director of Legal & Democratic Services and the Director of Finance to enter into relevant contracts required to undertake the interim Streetlighting Maintenance Service Programme, as per section 4 of this report.

3. POLICY CONTEXT

- 3.1 The Corporate Plan 2022-2025 sets out the Council's priorities for Reading and provides direction for staff in delivering services to meet the needs of the communities within the Borough whilst working to a budget and Medium-Term Financial Strategy (MTFS) agreed at Council in February 2022.
- 3.2 The Council's Corporate Plan supports the maintenance of a secure and safe highway and strategic road network in order to ensure vital services are maintained, improve air quality and reduce carbon emissions, whilst accommodating the significant levels of planned economic growth.
- 3.3 The aim of the Streetlighting Maintenance Service is to secure the most effective use of resources in the delivery of high quality, best value public service. Our Local Transport Plan outlines investments in walking and cycling initiatives, public transport, and electric vehicle infrastructure that will make it easier for residents to make healthy choices, and feel the benefits of clean, green neighbourhoods.
- 3.4 To make travel more secure, safe and comfortable for all users of the public highway and to provide conditions that are as safe as reasonably practical having regards to financial constraints and our statutory duties.

4. THE PROPOSAL

- 4.1 Reading Borough Council aim to provide a streetlighting maintenance service to illuminate the public highway to provide a well-lit environment, reduce the fear of crime and support a sustainable highway network. The Council aim to provide travelling conditions as safe as reasonably practicable having regard to the road hierarchy, 'Well-managed Highway Infrastructure - Code of Practice' October 2016, as well as the Highways Act 1980 Section 41.
- 4.2 The streetlighting maintenance service is provided by the Council all year round.
- 4.3 Reading Borough Council can join the Peterborough Council Framework agreement and access their term maintenance contractor currently being provided by Milestone Infrastructure Limited.

- 4.4 The current term streetlighting Maintenance contract has come to the end of its term and the Council now need to re-tender the contract in accordance with the Public Contracts Regulations 2015.

Options:

- 4.5 Option 1: To do an exceptions report to retain the existing streetlighting contractor. This was discounted as the provider requested a long-term commitment, which we are unable to do.
- 4.6 Option 2: Join the Wokingham Framework Contract. This was discounted due to the high access fee costs payable, as well as increased rates to use their contractor.
- 4.7 Option 3: To go out to tender without having an interim contractor in place to deal with emergencies. This was discounted due to the risk to Reading in meeting our statutory obligation.
- 4.8 Option 4: To obtain quotations from suitably qualified streetlighting contractors to provide a streetlighting maintenance service until the contract could be retendered and join a suitable alternate Framework Contract that provides good value to Reading and satisfies our statutory obligation to maintain our streetlighting inventory. Then to retender the streetlighting contract within 2-years. **Recommended.**

Procurement

- 4.9 The total estimated value of the interim framework contract is approximately £350k over the 2-year period (24 months), at the rate of approximately £175k per year.
- 4.10 As this is a statutory Service the Council will be required to tender and award the Streetlighting Maintenance Service Term Contract within the next 2-years following the interim contract arrangements. A report will be brought back to Committee to obtain authority to enter into the Streetlighting Maintenance Term Contract when it goes out to tender within the next 2-years.
- 4.11 In accordance with the Public Procurement Rules the Council will publish the Streetlighting Maintenance Term Contract on the Find a Tender service which replaces the Official Journal of European Union (OJEU) contract notice portal and in accordance with the Council's Contract Procedure Rules, will be advertised on the Councils electronic tendering portal, as well as via 'Contracts Finder'.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 Reading Borough Council's vision is:

To help Reading realise its potential - and to ensure that everyone who lives and works here can share the benefits of its success.

- 5.2 The Streetlighting Maintenance Interim Term Contract **2022-2024** will contribute to the Council's Corporate Plan 2022 - 2025 objectives of:
- Healthy environment - Keeping the town clean, safe, green and active
 - Inclusive economy - Enabling the infrastructure to continue to support the economy
 - Thriving Communities - Remaining financially sustainable and to ensure everyone has an equal chance to use the public highway

5.3 TEAM Reading values:

Together - Collaborative working approach between the Council, consultant, contractors and the public
Efficiency - Continue to explore efficiency savings within the contract
Ambitious - Investing into the public highway & streetlighting assets
Make a Difference - Providing a safe inclusive public highway network for all users

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 6.1 The Council declared a climate emergency at its meeting in February 2019 and as such recognises the need to minimise the climate impacts of its decisions. To this end, Council on 15th October 2019 formally adopted of the 'Unite Construction Charter' where the Authority supports the 'Get Britain Building' campaign, which is aimed at supporting and sustaining the British construction industry. All relevant construction contracts will be required to comply with the Authority's Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent.
- 6.2 Tenders for any subsequent contracts that are necessary will be invited to submit Environmental Implications proposals which will form part of the quality element of the tender evaluation. A social value quality submission will also be required to be submitted with tenders and evaluation.
- 6.3 Tenders also need to include carbon reduction targets and improved sustainability within tender returns. The intent is to reduce the amount of carbon used to produce the materials at source, using recycled materials, lower temperature materials, reducing the uncontrolled waste in the environment to reduce pollution of the natural environment, use of electric vehicles and plant, as well as how they will achieve their own carbon reduction targets.
- 6.4 The Reading Climate Emergency Strategy, which was endorsed by the Council in November 2020, highlights the importance of adapting to climate impacts as well as reducing the emissions which are driving climate change.
- 6.5 The Council will continue to explore options to reduce power consumption of our LED streetlighting lanterns assets taking due regard of Community Safety concerns.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".
- 7.2 The public can report faulty streetlighting lanterns on the public highway and strategic network and all requests for additional lighting will be considered for approval should they meet the assessment criteria.
- 7.3 This report will be available on the Council's website following Housing, Neighbourhoods & Leisure Committee approval processes.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The Streetlighting Maintenance Service programme 2022/2024 consists of maintaining the Council's existing public streetlighting network in a safe working condition. There is no overall change to service delivery at this time and all users will have a safe & efficient public highway network. Should any future updates/amendments be required, which result in service delivery changes, an equality impact assessment will be carried out.

9. LEGAL IMPLICATIONS

- 9.1 It will be necessary to enter into a short-term contract with the Peterborough Council Term Framework Contractor.
- 9.2 The tender process will be undertaken in accordance with the Council's Contract Procedure Rules and the principles of the Open Process as defined by the Public Contract Regulations 2015 ("the Regulations").
- 9.3 The Borough Council, as Highway Authority, has a duty under the Highways Act 1980 Section 41 to ensure, so far as is reasonably practicable, that safe passage along a highway.

10. FINANCIAL IMPLICATIONS

- 10.1 The costs of the Streetlighting Maintenance Service Interim Contract 2022-2024 of up to £0.35M proposed in this paper will be met from existing Highways & Traffic Services Revenue Budgets.

11. BACKGROUND PAPERS

11.1 There are none.