

Winter Service Vehicle Fleet Procurement

To: Highways and Transport Committee

Meeting Date: 25 January 2022

From: Steve Cox, Executive Director Place and Economy

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2022/038

Outcome: To procure the new Winter Service Vehicle Fleet.

Recommendation: To award the contract for the new Winter Service Vehicle Fleet following the completion of the procurement process.

Officer contact:

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Member contacts:

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1. Background

- 1.1 Cambridgeshire County Council as Highway Authority has a statutory duty under the Highways Act "to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice".
- 1.2 To deliver this duty the Council through its Highways Term Services partner, Milestone Infrastructure Services LTD, carries out precautionary salting of a specified network of roads throughout the County.
- 1.3 Cambridgeshire County Council provides and maintains the specialist vehicle fleet for salting purposes. The cost of this fleet is a major cost component of the Winter Service.
- 1.4 To provide the Winter Vehicle Fleet the council currently leases 37 specialist vehicles from supplier ECON Engineering Ltd. The current 7 year lease agreement ends in May 2022.
- 1.5 A procurement process has been carried to seek a lease hire supplier for the next 6 years until June 2028.
- 1.6 The length of lease chosen is to ensure that there is over lap with the end of the Highways Term Services contract. The overlap provides resilience for the winter service should it be needed to ensure service provision as a new Highways Term Services Provider establishes its operations.
- 1.7 The procurement process was carried out between September and December 2021 following a market engagement event in June.
- 1.8 The lease contract duration is to be 6 years with an option to extend for a further year.
- 1.9 The lease cost will be £1,095,770 per year giving a total of £6,574,620 over the six year contract period. The cost per year for the old vehicles was £844,632
- 1.10 The cost of the winter fleet this time round has increased by £251,138 or £6,788 per vehicle per year.
- 1.11 For The increased cost will need to be covered within the overall highways maintenance budgets through service improvement efficiencies.
- 1.12 The whole Winter Service costs in the region of £2.75million per year of which around 40% is the Winter Fleet cost.

2. Main Issues

- 2.1 The council has followed its appropriate procurement process for contracts of this financial scale.
- 2.2 The procurement process resulted in 2 tenderers whose submissions have been assessed and a preferred tenderer chosen.

- 2.3 Evaluation of the Tenders is by a 40/60 cost/quality to ensure a balance of price and quality of product and service is achieved.

3. Alignment with corporate priorities

- 3.1 Communities at the heart of everything we do
A safe to use highway network is essential to the daily activities of our communities, businesses and residents.
- 3.2 A good quality of life for everyone
A safe highway network supports during the winter season enables safe movement between and within communities.
- 3.3 Helping our children learn, develop and live life to the full
The winter salting routes incorporate routes to schools and colleges.
- 3.4 Cambridgeshire: a well-connected, safe, clean, green environment
The Highways Winter Service ensures key road transport corridors remain accessible and open avoiding disruption and congestion due to weather.
- 3.5 Protecting and caring for those who need us
There are no significant implications for this priority.

4. Significant Implications

- 4.1 Resource Implications
The 2021/22 budget for delivering the winter service is £2.744m. This budget includes the Fleet lease costs. Additional budget to cover the increased cost will need to be identified through re-allocation of existing budgets, exploring efficiency improvements in the Winter service or through next year's Business Planning Process.
- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications
The council's procurement rules and process have been adhered to throughout.
- 4.3 Statutory, Legal and Risk Implications
The Statutory requirements are set out in the Highways Act 1980, specifically:
- Section 41(1A) - duty to ensure, so far as is reasonably practicable, that safe passage along the highway is not endangered by snow and ice.
 - Section 150 - duty to remove snow, soil, etc. from the highway. If an obstruction arises in a highway from accumulation of snow or from the falling down of banks in the side of the highway, or any other cause, the highway authority shall remove the obstruction.

The Council follows industry good practise and National guidance *Well Maintained Highways* in its planning and delivery of the highways winter service

4.4 Equality and Diversity Implications

A robust Winter Service ensures that the priority highway network is available for all to use during periods of adverse weather.

4.5 Engagement and Communications Implications

There are no significant implications for this priority.

4.6 Localism and Local Member Involvement

There are no significant implications for this priority.

4.7 Public Health Implications

There are no significant implications for this priority.

4.8 Environment and Climate Change Implications on Priority Areas (See further guidance in Appendix 2):

4.8.1 Implication 1: Energy efficient, low carbon buildings.

Positive/neutral/negative Status: Positive

Explanation: New vehicles are more fuel efficient and will contribute to the reduction of carbon within the highways service.

4.8.2 Implication 2: Low carbon transport.

Positive/neutral/negative Status: Neutral

Explanation:

4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Positive/neutral/negative Status: Neutral

Explanation:

4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

Positive/neutral/negative Status: Neutral

Explanation:

4.8.5 Implication 5: Water use, availability and management:

Positive/neutral/negative Status: Neutral

Explanation:

4.8.6 Implication 6: Air Pollution.

Positive/neutral/negative Status: Positive

Explanation: New vehicles are more efficient and produce less emissions than the fleet being replaced.

4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.
Positive/neutral/negative Status: Positive
Explanation: The new fleet provides greater ability to cope with the effects of climate change keeping the highway network open and available for use during adverse weather events such as prolonged cold weather and snowfall events

Have the resource implications been cleared by Finance? Yes
Name of Financial Officer: Sarah Heywood

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement? Yes
Name of Officer: Henry Swan

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law? Yes
Name of Legal Officer: Fiona McMillan

Have the equality and diversity implications been cleared by your Service Contact?
Yes
Name of Officer: Elsa Evans

Have any engagement and communication implications been cleared by Communications?
Yes
Name of Officer: Sarah Silk

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes
Name of Officer: Emma Murden

Have any Public Health implications been cleared by Public Health?
Yes
Name of Officer: Iain Green

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer?
Yes
Name of Officer: Emily Bolton

5. Source documents guidance

5.1 Source documents

Winter Maintenance Handbook
<https://www.theihe.org/wp-content/uploads/2019/03/Winter-maintenance-IHE-handbook-FINAL.pdf>

Well Managed Highways

[31891 tso DfT wm highways \(ciht.org.uk\)](https://www.ciht.org.uk)

APPENDIX 2 – GUIDANCE AND CHECKLIST FOR IMPLICATIONS

Report authors should decide whether in each category there are no, some or significant implications, considering each of the prompt questions. A commentary need only be included within the report where there are significant implications. Report authors will need to clear each implication category with the relevant Team. They may wish to this before the drafting a report particularly if the issue is contentious.

A working definition of “significant” is where the broader implications of a proposal are so evident /substantial that they need to be taken into consideration when Members are making a decision on the proposal.

All headings (in bold below) should be included. However, if the implications have been referenced earlier in the report, the detail does not need to be repeated – just a reference made to the relevant text.

<p>Resource Implications</p>	<ul style="list-style-type: none"> • What are the capital and revenue costs? • What is the availability of current and future budget provision? • Is the organisation delivering value for money? • Is the best placed organisation delivering this service? • What are the implications for our property assets? • What are the implications for Information and Communications Technologies (ICT) and data ownership? • What are the impacts on human resources – employees’ Terms & Conditions, work location, staffing levels, industrial relations, Human Resources (HR) policies and if so has advice on the report been sought? • Are resources being used in a sustainable way, with regard to carbon dioxide (CO₂) emissions, climate change adaptation/mitigation, and long-term impact on environment? • Have we considered and are we in line with best practice? • Is our performance as an authority or partnership impacted?
<p>Procurement/ Contractual/ Council Contract Procedure Rules Implications</p>	<ul style="list-style-type: none"> • Have you evidenced compliance with the Council’s Contract Procedures Rules? • Have you identified where you are seeking Committee to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations? • Have you identified any EU or UK legislative risks associated with the exemption process such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition? • Have you identified the procurement or contractual risks associated with a contract? • Has the contract/procurement been subjected to the Council’s Commercial Board? • This includes re-procurement
<p>Statutory, Legal and Risk Implications</p>	<ul style="list-style-type: none"> • Did the proposal originate as a result of statute? • What is the relevant statutory guidance? • Are there any legal implications? • Are there any reputational implications? • What are the key risks and how might they be managed? • Are there any community safety implications? • Are there any health and safety implications? • Are there any human rights implications? Please consult with the Legal Team for advice on completing this section?

Equality and Diversity Implications	<p>The completion of this paragraph should include the need to have due regard to the Council's equalities duties under the Equality Act 2010. Where you are recommending changes that impact on a community, a community impact assessment needs to be carried out).</p> <ul style="list-style-type: none"> • How would the proposal affect access to services by the full range of communities in Cambridgeshire? • What are the implications for fairness, equality and diversity, within the workforce as well as for customers? • Have you had due regard to the Council's Equalities duties under the Equality Act 2010? • Have you carried out a Community (Equality) Impact Assessment? If so, this should be attached as an Appendix to this report and reference made to it in the report and recommendations. If not, the report should explain why this is not necessary. • Guidance on carrying out a Community Impact Assessment is available on Camweb
Engagement and Consultation	<ul style="list-style-type: none"> • Has there been community engagement / public consultation and if so, what were the results? • Has discussion on the proposals taken place across directorates and with other relevant councils / agencies? • What are the implications for engagement with voluntary/community sector? • Have affected employees been consulted? • Have local Members been consulted and their views taken into consideration? • Where you are recommending changes that impact on a community, has a Community Impact Assessment (incorporating requirements under the Equality Act) been carried out incorporating feedback from community engagement where appropriate? (see link above)
Localism and Local Member Involvement	<ul style="list-style-type: none"> • Does the proposal empower communities to do more for themselves? • How will the proposal harness the energy of local communities to work with the County Council? • Does the proposal involve devolving decision-making and delivery to a more local level? • Have you fully informed Local Members about matters affecting their divisions during the formative stages of policy development and discussion at informal meetings, as required by Part 5.3 – Member/Officer Relations of the Council's Constitution?
Public Health	<ul style="list-style-type: none"> • Will the proposal have an impact on the health of Cambridgeshire residents? • Will the proposal support improving the health of the worst off fastest? • Will the proposal impact on a key health and wellbeing need identified in the Cambridgeshire Joint Strategic Needs Assessment (JSNA) • How does the proposal ensure that public health preventative measures for COVID-19 are being adhered to. • What national guidance on COVID-19 is relevant to this proposal. All national guidance can be reviewed at the following link: https://www.gov.uk/coronavirus <p>The suite of Cambridgeshire JSNA documents are available on the Council website at the following link: http://www.cambridgeshireinsight.org.uk/jsna Please consult with the Public Health Team for advice on completing this section. Contact number: 01223 699689.</p>

Environment and Climate Change

Answering the below questions will help indicate the positive/neutral/negative status of the Environment and Climate Change implications. Where the answer is “yes” the section response is “positive”.

Energy efficient, low carbon buildings:

- Will the proposal decrease energy use for the council and/or communities?
- Will the proposal lead to a switch to low-carbon energy supply, including renewables?

Low Carbon Transport:

- Will the proposal decrease use/reliance on the private car?
- Will the proposal encourage use of cleaner modes of transport? Eg. EV, cycling, walking.
- Will the proposal increase use of public transport?

Green spaces, peatland, afforestation, habitats and land management:

- Will the proposal encourage, incorporate or implement tree planting?
- Will the proposal prevent or minimise tree removal?
- Will the proposal create, enhance or reduce damage to green space or natural habitats?
- Will the proposal improve the accessibility of green space or nature?
- Will the proposal lead to the improvement of peatland condition or extent? E.g. sustainable agriculture, restoration

Waste Management and Tackling Plastic Pollution:

- Will the proposal reduce waste generated by the council and/or residents, increase recycling, or encourage use of sustainable materials?
- Will the proposal reduce rubbish and waste, especially plastics, or reduce emissions from landfill?

Water use, availability and management:

- Will the proposal lead to reduced risk of flooding?
- Will the proposal promote and/or implement nature-based solutions to climate change (e.g balancing ponds, Sustainable Drainage solutions, tree planting etc) to manage the effects of climate change? E.g. Flood risk or heatwaves.
- Will the proposal help minimise use and wastage of water at the council and/or for communities, or help secure water supplies for the future?

Air Pollution:

- Will the proposal lead to a reduction in air pollution or an improvement in air quality?

Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change:

- Will the proposal lead to our services having greater ability to cope with the effects of climate change? E.g. flooding or heatwaves
- Will vulnerable people better cope with climate change?

See the Climate Change and Environment strategy [here](#) for further information on the Council’s climate priorities.

Contact the Climate Change Officer if you encounter any issues in completing these implications: mlei@cambridgeshire.gov.uk.

WHETHER A REPORT SHOULD BE PRIVATE AND CONFIDENTIAL

There has to be strong justification given as to why it is not in the public interest for a report to be in the public section of the agenda. When agreeing to exclude the press and public, a Committee has to consider whether the public interest of withholding a report from publication outweighs the public interest in disclosing the information.

Paragraph 11 of the Access to Information Rules (Constitution Part 4.2) lists the circumstances under which the Local Government Act 1972 allows exclusion of the press and public. These cover:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If the report does include information that falls into the above categories, where possible, if it is not vital information that the Committee requires to make its decision, the information should be omitted from the body of the report (or only included as a confidential appendix) so that the report can be considered in public.

The Monitoring Officer must be consulted if the whole report needs to be treated as confidential.

The following heading and wording should be added as a header so it appears on every page of the report

NOT FOR PUBLICATION *This document contains exempt information under Paragraph [insert here the relevant number(s) from the list above] of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and it would not be in the public interest for this information to be disclosed (information relating to [add here the relevant text from the relevant number(s) above])*

Under the Local Government Act, some information **must** be treated as confidential, and the press and public **must** be excluded. This applies to information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by or under any enactment or by the order of a court.