

Nuneaton and Bedworth Borough Council Town Hall, Coton Road, Nuneaton Warwickshire CV11 5AA

> www.nuneatonandbedworth.gov.uk 024 7637 6376

Enquiries to: Kelly Baxter Direct Dial: 024 7637 6619 Direct Email: <u>member.services@nuneatonandbedworth.gov.uk</u> Date:13th June, 2023

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Council Chamber, Town Hall, Nuneaton, on **Wednesday**, 21st June 2023 at <u>6.00 p.m.</u>

The public can follow the decision making online:www.nuneatonandbedworth.gov.uk/virtual-meeting.

Please note that meetings are recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: Members of Cabinet

Councillor K. Wilson (Leader of the Council and Business and Regeneration) Councillor C. Golby (Deputy Leader and Housing and Communities) Councillor S. Croft (Finance and Corporate) Councillor S. Markham (Public Services) Councillor R. Smith (Planning and Regulation) Councillor J. Gutteridge (Health and Environment)

Also invited: Councillor C. Watkins (Leader of the Main Opposition Group and Observer)

<u>AGENDA</u>

<u>PART I</u>

PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds, please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Lloyds Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

I would also advise that all or part of the meeting will be live streamed and recorded for future broadcast.

- 2. <u>APOLOGIES</u> To receive apologies for absence from the meeting.
- 3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non- pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (Page 5). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes. 2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

- 4. <u>MINUTES</u> To confirm the minutes of the Cabinet meeting held on the 24th May 2023 (Page 8)
- 5. <u>PUBLIC CONSULTATION</u> Members of the Public will be given the opportunity to speak on specific agenda items if notice has been received.
- 6. <u>THE SERIOUS VIOLENCE DUTY</u> report of the Strategic Director Housing and Community Safety to follow
- 7. <u>VEHICLE TYRE REPLACEMENT CONTRACT</u> report of the Strategic Director – Public Services attached (Page 16)
- 8. <u>RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS</u> None
- 9. <u>ANY OTHER ITEMS</u> which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified)

Nuneaton and Bedworth Borough Council

Building A Better Borough

Nuneaton and Bedworth 2032: working in partnership, restoring pride in our borough

AIM 1: LIVE

We want to make our borough a place where our residents enjoy living and in which others choose to make their home.

Priority 1: Promote residents' health and wellbeing

Priority 2: Enable appropriate housing development

Priority 3: Sponsor a sustainable green approach

Priority 4: Prioritise community safety and empowerment

AIM 2: WORK

Using our prime location within the national road and rail networks and responding to the needs of private companies, we want to make our borough a place in which businesses choose to locate and where our residents enjoy a range of employment options.

Priority 1: Grow a strong and inclusive economy

Priority 2: Champion education and skills

Priority 3: Embrace new and emerging technology

Priority 4: Support local businesses

AIM 3: VISIT

Taking advantage of our open green spaces, our heritage, and our location within the West Midlands, we want our borough to be a vibrant destination for residents and visitors alike. A place where people and families want to spend time relaxing, socialising and taking part in leisure and cultural activities.

Priority 1: Create vibrant and diverse town centres

Priority 2: Stimulate regeneration

Priority 3: Celebrate and promote our heritage

Priority 4: Improve the physical environment

Cabinet - Schedule of Declarations of Interests - 2023/2024

Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
General dispensations granted to all members under s.33 of the Localism Act 2011			 Granted to all members of the Council in the areas of: Housing matters Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 An allowance, payment given to members An indemnity given to members Any ceremonial honour given to members Setting council tax or a precept under the Local Government Finance Act 1992 Planning and Licensing matters Anlotments Local Enterprise Partnership
S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: Champion for Safeguarding (Children and Adults) Local Government Superannuation Scheme Consultative Board West Midlands Employers	
C. Golby		Member of Warwickshire County Council Membership of Other Bodies: Nuneaton and Bedworth Safer and Stronger Communities Partnership Nuneaton and Bedworth Community Enterprises Ltd. Nuneaton and Bedworth Home Improvement Agency Safer Warwickshire Partnership Board Warwickshire Housing and Support Partnership Warwickshire Police and Crime Panel George Eliot Hospital	

Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
		 NHS Trust – Public/User Board George Eliot Hospital NHS Foundation Trust Governors District Leaders (substitute) Local Enterprise Partnership (substitute) Coventry, Warwickshire and Hinckley and Bosworth Joint Committee (substitute) 	
J. Gutteridge		 Representative on the following Outside Bodies: Warwickshire Health and Wellbeing Board Age UK (Warwickshire Branch) Committee of Management of Hartshill and Nuneaton Recreation Ground West Midlands Combined Authority Wellbeing Board 	
		Member of NABCEL	
S. Markham	County Councillor – W.C.C.	 Governor at Ash Green School Member of the following Outside Bodies: Nuneaton and Bedworth Sports Forum Warwickshire Direct Partnership Warwickshire Waste Partnership Sherbourne Asset Co Shareholder Committee 	
R. Smith		 Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club; Director of NABCEL; Member of the following Outside Bodies: A5 Member Partnership; PATROL (Parking and Traffic Regulation Outside of London) Joint Committee; Building Control Partnership Steering Group Bulkington Village Community and Conference Centre West Midlands Combined Authority and Land Delivery Board 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	Manager, and Warw Courts, H Warwicks	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	Deputy Chairman – Nuneaton Conservative Association	
			Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.	
			 Representative on the following Outside Bodies: Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) Coventry, Warwickshire and Hinckley & Bosworth Joint Committee District Council Network Local Government Association Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) West Midlands Combined Authority 	

NUNEATON AND BEDWORTH BOROUGH COUNCIL

CABINET

24th May 2023

A meeting of Cabinet was held on Wednesday 24th May, 2023 in the Council Chamber which was recorded and live streamed.

- 1 -

Present

Councillor K. Wilson (Leader and Business and Regeneration (Chair) Councillor C. Golby (Deputy Leader and Housing and Communities) Councillor S. Croft (Finance and Corporate) Councillor J. Gutteridge (Health and Environment) Councillor S. Markham (Public Services) Councillor R. Smith (Planning and Regulation)

CB1 Apologies

None

CB2 Declarations of Interest

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

CB3 Minutes

RESOLVED that the minutes of the Cabinet meeting held on 12th April 2023, be approved, and signed by the Chair.

CB4 Bedworth Civic Hall – Update – Next Steps

The Strategic Director – Public Services submitted a report to Cabinet setting out the next steps for consideration on the future operation of the Civic Hall (Venue).

RESOLVED that

- a) the proposed selection criteria at Appendix 1 of the report be approved; and
- b) Delegated Authority be given to the Strategic Director Finance & Governance and Strategic Director – Economy & Transformation in consultation with the Leisure & Health Manager and Portfolio Holder for Public Services to undertake the selection exercise in accordance with the timetable as set out at Appendix 2 of the report.

Speakers:

Sam Margrave Joanne Browning Jane Law (submitted a statement that was circulated to Cabinet prior to the meeting) Steven Young Nikki Smith Christine Robson Rachel Hardy Janet Batterbee Wendy Snell Julie Whitehouse Councillor Keith Kondakor Councillor Emma Shiers Councillor Brian Hammersley

<u>Options</u> Accept recommendations in full. Do not accept the recommendations.

Reasons

At Cabinet on 9th November 2022, the recommendation for Cabinet to approve 'Expressions of Interest' (EOI's) to be sought from suitable interested parties for the potential future operation and management of the Venue was approved in full.

On the 12th April, the EOIs were accepted as valid and Cabinet agreed to approach the next stage on the basis of a lease, the terms of which are to be agreed under delegated authority. The next stage in the process is to undertake a formal selection exercise in accordance with the legislation and guidance that is being followed in this instance.

CB5 Reimagining Museum & Art Gallery Parks Revival

The Strategic Directors – Public Services and Economy & Transformation provided Cabinet with a project update for the Parks Revival and Reimagining Nuneaton Museum & Art Gallery Schemes, following the completion of the surveys, designs, and cost estimates to Royal Institute of British Architects (RIBA) Stage 3

RESOLVED that

- a) the update report on the delivery of the projects be noted;
- b) the RIBA Stage 3 report for the Museum Appendix 2 of the report be accepted;
- c) Delegated Authority be given to the Strategic Directors for Economy & Transformation and Finance, in consultation with the Portfolio Holder for Public Services and Health & Environment to deliver the projects within available funding and as per agreed outcomes and approved summarised business case as at Appendix 1 to this report;
- d) Further update reports be presented to Cabinet at timely intervals, along with the ongoing engagement with DHLUC to meet monitoring and evaluation reporting to release grant funding be noted; and
- e) Delegated Authority be given to the Strategic Director Public Services in consultation with the Portfolio Holder for Public Services and Health & Environment to pursue funding opportunities for elements of the Museum and Parks schemes not currently funded.

Speakers:

Councillor Keith Kondakor Councillor Emma Shiers

Options

Accept the recommendations contained within this report and move to delivery stage of the projects.

Do not accept the recommendations.

Reasons

This report provides Cabinet with the most up to date information relating to the capital project as part of the Towns Deal / DLUHC funding. The project now requires approval to move to the next stages of RIBA delivery, following its sign off by the Board and formal acceptance by DLUHC following changes from the initial submission to meet budget shortfalls.

CB6 <u>Creation of Flexible Tenancies, Downsizing Policy and Local Lettings Plan</u> within the Council Housing Stock

The Head of Housing & Responsive Repairs submitted a report seeking to approve recommendations pertaining to the creation of Flexible Tenancies (Fixed Term Tenancies) for specific Council housing stock, namely four and five bed houses and stock that has been significantly adapted for a disabled household.

RESOLVED that

- a) flexible tenancies be approved for issuing to all new or VOID 4+ bedroom properties;
- b) flexible tenancies be approved for issuing to all new or VOID significantly adapted properties;
- c) the Tenancy Policy and supporting Local Lettings Plan be approved;
- d) Delegated Authority be given to the Head of Strategic Housing Services and Head of Housing & Responsive Repairs to determine the adapted property meets the criteria for a Flexible tenancy; and
- e) the Downsizing Initiatives and supporting policy be approved.

Speakers:

Councillor Keith Kondakor Councillor Emma Shiers

Options

To approve the recommendations To not approve the recommendations.

<u>Reasons</u>

To allow the Council to encourage tenants under occupying 4+ bedroomed homes to move to smaller accommodation that better suits their needs. This will then allow families that require that size of accommodation to be housed, which will have a positive impact on temporary accommodation costs.

This will also apply to disabled adapted properties which are no longer required by the household.

CB7 Funding Arrangements – Economic Development and Public Safety

The Strategic Director – Housing & Community Safety and Strategic Director – Economy & Transformation submitted a report to Cabinet proposing a redistribution of discretionary funding previously provided to the Coventry and Warwickshire Local Enterprise Partnership (CWLEP)

RESOLVED that

- a) the establishment of a Town Centre Business Grant Scheme be approved;
- b) Delegated Authority be given to the Head of Economic Development and Communities, in conjunction with the Cabinet Member – Business & Regeneration to administer the Scheme; and
- c) to increase capacity within the Communities and Public Safety team within the financial envelope detailed within the financial implications be approved.

Speakers

Councillor Keith Kondakor

Options

To accept the recommendations To reject the recommendations

Reasons

The Local Enterprise Partnership (LEP) functions are now subsumed within Warwickshire County Council's duties, negating the historical discretionary £20k annual funding contribution to the LEP that NBBC has made for many years. The Coventry & Warwickshire Growth Hub is an "add on" function set up by the LEP which has attracted annual discretionary funding of £15k from NBBC and the other four district and borough councils in Warwickshire [as well as larger annul contributions from Warwickshire County Council and Coventry City Council]. Coventry & Warwickshire Growth Hub has now been established as a Community Interest Company separate from the LEP functions that have been subsumed within the County Council. However, given the level of UK Shared Prosperity Fund (UKSPF) investment proposed to support businesses, coupled with existing local and regional arrangements, it is recommended that the £35k of funding contributions previously made to the LEP and the Growth Hub is redirected to provide more locally focused resources for the benefit of the borough.

CB8 UK Shared Prosperity Fund (UKSPF)

The Strategic Director – Housing & Community Safety provided Cabinet and members with information regarding progress to date against agreed UK Shared Prosperity Fund (UKSPF) projects.

RESOLVED that

- a) progress against Year One projects be noted;
- b) the Town Centres Commercial Units Conversion Grant Scheme attached at Appendix A of the report, be endorsed; and

 c) Delegated Authority be given to the Strategic Director – Housing & Community Safety, Strategic Director – Economy & Transformation, and Strategic Director – Public Services, in consultation with the relevant Portfolio Holders, administer the projects.

Speakers

Councillor Keith Kondakor

Options

To accept the recommendations To reject the recommendations

<u>Reasons</u>

The UKSPF replaces European Funding and is intended to reduce the inequalities between communities. The three intervention themes of Community and Place, Supporting Local Businesses and People and Skills, reflect the priorities of the Council and which are contained within the Build a Better Borough corporate Plan. The proposed interventions and projects contained within this report provide a cohesive approach to supporting local businesses, improving the local economy, reducing crime and disorder and offering improved life chances and opportunities for residents.

CB9 <u>Recommendations From Overview and Scrutiny Panels</u> None

CB10 Any Other Items

a) Water Safety

Cabinet wished to highlight the dangers of swimming in open water especially Ensor Pool and to express thanks to the fire officers who recently visited Ensor Pool and assisted in ensuring the safety of residents.

b) Knife Angel

Cabinet wished to highlight the arrival of the Knife Angel on 1st June to the Nuneaton Town Centre and the event starting at 7pm.

Chair

PUBLICATION DATE: 2ND JUNE 2023

DECISIONS COME INTO FORCE: 12TH JUNE 2023

Cabinet - Schedule of Declarations of Interests - 2023/2024

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Agenda item: 7

Cabinet/Individual Cabinet Member Decision

Report Summary Sheet

Date: 21st June 2023

Subject: Fleet Vehicle Tyre Management Procurement

Portfolio: Public Services

From: Head of Waste and Transport

Summary:

Procurement of the Fleet Vehicle Tyre Management Framework Agreement

Recommendations:

- 2.1. To approve the re procurement of a fleet vehicle tyre management framework agreement, which ends in October 2023; and
- 2.2. To grant delegated authority to the Strategic Director Public Services and the Strategic Director Finance and Governance to award the procurement process and enter into a Framework Agreement with a single supplier for the provision of fleet vehicle tyre management goods and associated services.

Options: 1. Support the recommendations contained in this report and approve the procurement of a fleet vehicle tyre management framework agreement. 2. Do nothing and reject the report. **Reasons:** 1. To fully comply with road traffic regulations. 2. Fully comply with Operator Licence (O Licence) requirements. 3. Fully comply with fleet maintenance regulations. 4. Investigate potential cost reductions to NBBC. 5. Maintain H&S duty of care requirements to employees, residents and other road users. 6. To ensure compliance with NBBC Contract Procedure Rules and the Public Contract Regulations 2015. Consultation undertaken with Members/Officers/Stakeholders Strategic Director – Public Services Strategic Creditors and Procurement Manager

Subject to call-in:

Yes

Ward relevance:

Maintain key services in all areas.

Forward plan:

Yes

Building a Better Borough Aim:

Aim 1

Building a Better Borough Priority:

Priority 3: Sponsor a sustainable green approach.

Relevant statutes or policy:

Road Traffic Act 1988 DVSA Guide to Vehicle Road Worthiness

Equalities Implications:

No

Human resources implications:

None

Financial implications:

Pro's

1. Interrogate potential cost savings via tender process

Con's

1. On-going Revenue cost for the GF and HRA for tyre management activities 2. Potential supply cost increases, due to market supply and material increases

Health Inequalities Implications:

None

Section 17 Crime & Disorder Implications:

None

Risk management implications:

- 1. Loss of Operators Licence
- 2. HSE / Police Prosecution
- 3. NBBC Reputational damage

Environmental implications:

None

Legal implications:

Compliance with Statutory functions

Contact details:

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024 7637 6049

NUNEATON AND BEDWORTH BOROUGH COUNCIL

Report to: 21st June 2023

From: Head of Waste and Transport

Subject: Fleet Vehicle Tyre Management Procurement

Portfolio: Public Services - (Cllr Sue Markham)

Building a Better Borough Aim:1

Building a Better Borough Priority:3 Sponsor a sustainable green approach

1. Purpose of Report

1.1 To outline the requirement to re procure a fleet vehicle tyre management framework agreement in order to remain operationally compliant and to comply with Road Traffic and Health and Safety regulations.

2. <u>Recommendations</u>

- 2.1 To approve the re procurement of a fleet vehicle tyre management framework agreement, which ends in October 2023; and
- 2.2. To grant delegated authority to the Strategic Director Public Services and the Strategic Director – Finance and Governance to award the procurement process and enter into a Framework Agreement with a single supplier for the provision of fleet vehicle tyre management goods and associated services.

3. Background

- 3.1 Nuneaton and Bedworth Borough Council provides many statutory and non-statutory services to residents of the borough, ranging from housing repairs, street cleansing and door to door refuse and recycling collections.
- 3.2 In order to provide these services a fleet of approximately 95 vehicles is required. These vehicles range from housing repairs vans to 26 tonne refuse collection vehicles.
- 3.2 In order to operate these vehicles compliantly and in accordance with road traffic legislation, all vehicles are serviced, maintained and

repaired either at our workshop at Gresham Road or via Coventry City Council at their Whitley depot site.

- 3.3 Fleet Operator Licence (O Licence) conditions require all vehicles to be maintained in a 'road worthy' condition. Details of how this can be achieved is contained within the Driver Vehicle Standards Agency (DVSA) guide to road worthiness and features all aspects of how to remain compliant, including frequency of inspections, vehicle driver checks, MOT and suitable tyre management arrangements.
- 3.4 The current tyre management framework agreement expires in October 2023 and preparations are being made to re procure a framework agreement.

4.0 Body of Report

- 4.1 The current fleet tyre management framework agreement was procured in October 2020 on a 2 + 1 configuration. The one-year option to extend was activated. The framework agreement was designed to discharge NBBC liability for road worthiness relating to tyre management.
- 4.2 In order to manage the needs of the service fleet, the framework agreement specifications below are drafted into the documents to include,
 - Supply and fit new tyres (agreed sizes)
 - Tyre changeover and rim rotation
 - Wheel balancing
 - Breakdown response
 - Tyre inspections and reports
 - Re-grooving
 - Technical advice.
- 4.3 To support the management of the above, a monitoring and reporting mechanism document was set up in the form of a Purchase Analysis Pack (PAP) to capture day to day use data. Incorporating.
 - Spend prices, daily, monthly, annually.
 - Replacement trend
 - Frequency of repair / replacement
 - Driver error / abuse

This information is used to interrogate any emerging trends for tyre replacement, the need for driver training, cost savings and spend pressures.

4.4 Transport officers work alongside the contractor technicians in order to ensure vehicles get the required checks, repairs and replacements.

5.0 Finance

5.1 Fleet Tyre Management spend profile 2020 to 2023.

Data runs from 01/04/2020 to 31/03/2023

Table 1

Sum of Amount Row Labels	Grand Total
2020/21 (FY)	£32,683.83
2021/22 (FY)	£46,588.73
2022/23 (FY)	£68,974.26
Grand Total	£148,246.82

It is however noted, following the HRA vehicle replacement, the Council envisages demand for new tyres and tyre related services to be lower in the initial 12 - 18 month period. As such, based on a 4-year term, the Council envisage a total lifetime maximum value of £170,000 over the lifetime of the newly proposed Framework Agreement meaning it'll be below the UK Public Procurement Threshold.

- 5.2 The above spend profile highlights increased market supply costs for tyres and is primarily due to general material running costs and inflated oil prices in the manufacturing process.
- 5.3 All replacement costs are kept to a minimum and all checks, repairs and wheel rim rotation is undertaken to maximise tyre life.
- 5.4 Operational reporting data is scrutinised to see where spend patterns form and appropriate action taken to reduce any spikes in cost.
- 5.5 Where required drivers are trained to drive vehicles, predominantly refuse collection vehicles, without (kerbing) the tyre which leads to serious damage and blow outs.
- 5.6 Lower priced alternatives tyres are specified to reduce replacement cost, whilst maintaining performance and safety of tyres.

6.0 Conclusion

- 6.1 It is a legal requirement to ensure fleet vehicles are maintained to a safe and road worthy condition.
- 6.2 All identified tyre faults, repairs, replacements should be undertake by experienced tyre technicians and in accordance with road traffic and H&S requirements.
- 6.3 A regular schedule of tyre checks, on all vehicles should be in place for safety and damage identification purposes.

7.0 Appendices

7.1 None