

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 15 January 2026
Subject:	Procurement for Highways framework under the Procurement Act 2023	
Report of	Cabinet Member for Environment, Climate Change and Operations	

Summary

This report seeks Cabinet approval to proceed with the re-procurement of a Highways framework in compliance with the Procurement Act 2023.

The framework will be structured into several Lots covering all highways related works including as a minimum maintenance, surface dressing, major civils, highway structures with multiple suppliers per Lot to maintain works continuity

The Framework is projected to have an estimated spend of circa £60 million though actual expenditure will depend on available budgets, capital investment plans and any additional funding during the framework term. The framework will have a greater emphasis on social value outcomes and SME participation.

The Procurement process commenced December 2025 with the publication of a Planned Procurement Notice to inform the market of the upcoming tender. The procurement is scheduled to be concluded June-July 2026. Following this, a subsequent Cabinet report accompanied by an Award Report providing a full audit on the tender process will be presented to seek approval for awarding the framework.

Recommendation(s)

Cabinet is requested to approve to precede with the re-procurement exercise

Reasons for recommendation(s)

To maintain compliance with statutory obligations of the Procurement Act 2023.

Alternative options considered and rejected

1. Use Frameworks to source Bury's requirements

Rejected: Framework providers typically apply a minimum 1% management fee. On a projected framework value of £60 million, this would amount to approximately £600,000, a cost the Council would avoid by delivering the framework directly.

Authors and Contact Details:

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Position: Interim Head of Procurement

Background

The existing Highways Framework has successfully supported the delivery of highways related services across multiple Lots, including Minor Civils and Highway Structures. It has proven to be an effective mechanism for delivering both planned and reactive works efficiently, leveraging established suppliers and robust performance monitoring processes.

During the tender process, procurement will work with Highways department to review direct awards/options via frameworks where appropriate to deliver compliance and maintain service continuity.

The new framework will broaden its scope to include additional disciplines/Lots and place greater emphasis on social value outcomes and SME participation.

Links with the Corporate Priorities:

1. **Enterprise** – The re-procurement of a new framework will assist the Council in achieving its best value obligations under the Local Government Act 1999.
2. **Place and Community** – Maintaining continuity of highways services supports safe, accessible, and resilient communities, underpins economic growth, and enables delivery of active travel and sustainable transport schemes across the borough.

Equality Impact and Considerations:

3. There are not likely to be any changes that have equality impacts as a result of this activity.

Environmental Impact and Considerations:

4. Not applicable

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
The Council is required to meet its statutory highways maintenance implications under the Highways Act 1980.	Failing to re-procure would hinder the Council in fulfilling its statutory obligations, delay highway capital investment deadlines, and compromise

Potential challenge from suppliers	<p>highways maintenance, negatively impacting highway users in Bury.</p> <p>The project will be compliant with the Procurement Act and regular highlight reports provided on progress to provide assurance.</p>
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Legal Implications:

The re-procurement will be conducted in accordance with the Procurement Act 2023. Legal services will be contacted, where necessary, in respect of any terms and conditions queries.

Financial Implications:

Costs will be met from existing budget provision and the capital programme.

Background papers

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
SME	Small and Medium-sized Enterprises
Procurement Act 2023	The Procurement Act 2023 is a UK law that came into effect in February 2025, replacing the previous EU-derived procurement regulations. Its purpose is to simplify, modernise, and improve transparency in public procurement while promoting fair competition and social value.
Framework	A contract between a contracting authority and one or more suppliers that provides for the future award of contracts by a contracting authority to the supplier or suppliers
Planned Procurement Notice	An optional notice published at the pre-procurement stage to give advance information to the market about an upcoming procurement. It is designed to help suppliers prepare early and decide whether they wish to bid. When used correctly, it can also allow contracting authorities to reduce the minimum tendering periods in competitive procedures.