Emergency Powers Decision Report

Highways Asset Management & Professional Services Framework

Decision Maker: Chief Executive

Service Area: Highways & Engineering
Directorate: Place
Report Author: Assistant Director Highways and Engineering
Email: gordon.anderson@oldham.gov.uk

Date of Decision: 30TH November 2026

1. Power to make the decision

The decision is being taken under the authorisation contained in Section 9C – Delegations to Specific Officers of Part 3 (Responsibility for Functions) of the Council Constitution for the Chief Executive to take any emergency decisions in respect of the Council's executive functions which cannot be delayed until the next Cabinet meeting.

2. Decision Sought

To approve the establishment and procurement of a new Highways Asset Management & Professional Services Framework to provide a compliant route to market for specialist highways asset management, engineering and professional services requirements. The framework will be procured in accordance with the Council's Contract Procedure Rules and the Procurement Act 2023 and will provide access to suitably qualified suppliers through a robust quality and value for money evaluation process. This will support the ongoing management, maintenance and improvement of the Council's highway assets and ensure the Council remains compliant with relevant statutory obligations and Department for Transport reporting requirements

3. Reason for urgency

The matter is urgent as the current arrangements do not provide the long-term compliant procurement route required to support the Council's ongoing highways asset management activities. Timely approval is necessary to ensure there is no interruption in access to specialist professional services that are essential for

maintaining compliance with Department for Transport (DfT) asset management, transparency reporting and incentive funding requirements.

The establishment of the framework will ensure the Council is best placed to respond to current and future funding opportunities as they arise and will support the continued delivery of highways maintenance and asset management activities across the borough. Delay in approval could adversely impact the Council's ability to secure external funding, maximise investment opportunities and continue to adopt best practice asset management principles in line with national guidance.

4. Risk(s) of not taking the decision

Failure to approve the establishment of the framework would present several significant risks to the Council, including:

- Lack of a compliant procurement route for specialist highways asset management and professional services.
- Increased risk of non-compliance with the Council's Contract Procedure Rules and the Procurement Act 2023.
- Reduced ability to demonstrate compliance with Department for Transport transparency reporting and asset management requirements.
- Increased risk of losing access to current and future DfT incentive funding and other external funding opportunities.
- Potential failure to secure best value for money through a competitive procurement process incorporating both quality and commercial evaluation criteria.
- Increased procurement costs and delays arising from the need to undertake individual procurements for each commission.
- Reduced ability to effectively manage and maintain the highway network in accordance with the Council's statutory duties under the Highways Act and associated legislation.
- Increased risk to the Council's ability to continue managing the highway network safely, efficiently and in a manner consistent with recognised asset management principles.

5. Financial impact if decision not taken forward

Whilst there are no direct financial implications associated with establishing the framework itself, failure to approve the framework could result in significant indirect financial consequences.

The Council may lose the opportunity to secure future DfT incentive funding and other external investment streams linked to asset management maturity and reporting requirements. In addition, the absence of a framework would require services to be commissioned through individual procurement exercises, creating additional resource demands, delays and procurement costs.

The framework will ensure that all professional services procured through it are subject to robust quality and value for money assessments, providing assurance that the Council obtains the most economically advantageous outcomes whilst maintaining high standards of service delivery. Failure to establish the framework may therefore result in increased procurement costs, reduced efficiencies and poorer overall value for money

6. Statutory Officer clearances

a. Section 151 Officer

Name Lee Walsh
Date 5 November 2026
Comments

There are no direct financial implications arising from the establishment of the proposed Highways Asset Management & Professional Services Framework.

The framework will provide a compliant procurement route for the commissioning of specialist highways asset management and professional services, supporting adherence to the Council's Contract Procedure Rules and relevant procurement legislation. Its use is expected to promote value for money, facilitate efficient procurement processes, and provide flexibility to access appropriately qualified suppliers as required, thereby supporting the effective delivery and management of the Council's highways assets.

b. Monitoring Officer

Name Alex Bougatef
Date: 10 November 2026
Comments:

The exercise of emergency powers should be undertaken in consultation with the Leader or Deputy Leader of the Council. However, the Council has not yet appointed a Leader or Deputy Leader for the current municipal year, so it is not possible to consult them. In addition, there is no certainty about when a Leader or Deputy Leader will be appointed as the Council has failed at successive meetings to do so. For the reasons given in the report, an urgent decision relating to the report is required, and it cannot await the appointment of a Leader and Deputy Leader at some undetermined future date.