

## STRONGER COMMUNITIES COMMITTEE

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**Date:** Monday 20<sup>th</sup> January 2020  
**Title:** Christmas Lights  
**Contact Officer:** Operations and estates Officer - John Hickman

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### **BACKGROUND**

The purpose of this is to update Councillors about the Christmas Lights display 2019.

Councillors are aware there has again been issues regarding the installation of this year's Christmas Lights display with documentation not being provided on time and an incomplete display. In the duration of this contract, only the display of 2017 went without any issues and because of this penalty clauses were introduced in agreement with Gala Lights on 1<sup>st</sup> September 2017.

2018 was supposed to be the final year of the contract with an option to extend for a further two years. However again there were issues with the Christmas Lights Installation with penalty clauses being introduced in total £1,250 + £230 for missing display items.

Following 2018, Gala Lights informed the Council they would change the contractors being used to carry out the installation of the lighting for future years and that there would be no more issues if the Council agreed to extend the contract by a further two years. The offer was to extend the contract for two years 2019/20 at a reduced rate of £28,731.25 per year plus costs to carry out Lamp post connection repairs total value £4,125 over 2018/19.

Due to the issues encountered during the 2018 display, the Council agreed with Gala Lights to extend the contract by one further year (2019) at a reduced rate of £28,731.25 per year plus costs to carry out Lamp post connection repairs total value £4,125 over 2018/19, with the option to extend the contract by one further year 2020 if there were no issues during the 2019 Christmas Lights display.

### **CURRENT POSITION**

As Council is aware there have again been issues with the display, outstanding documentation and missing lighting. The Operations and Estates officer was unable to provide documentation to OCC regarding the Seasonal Decorations Licence on or above the Public highway in due time, as it was not provided by Gala Lights until 18<sup>th</sup> December after constant chasing by the Operations and Estates officer. Also, no sign of certification was

received on completion of the lighting installation, just an email on 28/12/19 stating the installation was complete.

The display was to be complete and signed off by 27/11/19 in line with the contract. The Operations and Estates Officer chased installation during the week prior to its scheduled completion as works did not happen on the days Gala Lights informed the Operations and Estates Officer they would. The lighting was actually installed overnight on the 25<sup>th</sup> November and during the day and night of the 26<sup>th</sup> November at the last minute.

The Operations and Estates Officer met with Gala Lights on both the 25<sup>th</sup> and 26<sup>th</sup> November. At this meeting he raised his concerns regarding the number of outstanding items still to be installed and was assured right up until 16:30 on 26<sup>th</sup> November that everything would be completed, working and signed off by Wednesday 27<sup>th</sup> 09:00 as per the contract.

On the morning of the 27<sup>th</sup> the Operations and Estates Officer noticed that the installation was incomplete and several items had not been installed. The Operations and Estates Officer immediately contacted Gala lights by email to raise the issue about the shortfall of lights and was initially informed that anything that was missing would be replaced.

In the afternoon of the 27<sup>th</sup> the Operations and Estates Officer was informed that the missing items would not be replaced and that Gala lights would calculate a reduction in charges for the missing items.

The Operations and Estates Officer was also informed that they had been having issues with getting lights back from the previous installation contractor. Gala lights it would appear were aware of the shortfall in lighting in the previous days but had not informed the Operations and Estates Officer who was led to believe there were no issues. The Operations and Estates Officer would have expected the issues regarding shortfall of lighting to be discussed and agreed with him prior to completion of the installation.

Contractors are also required to ensure illuminations are overhauled mechanically and electrically inspected to ensure they are in good working order prior to installation. This was clearly not able to be carried out if they had not retrieved the lights from the previous installation contractor.

The installation was short of the following items and costs.

- 15 x Boas Corn Street and Lower High Street Cost per Boa £27.00 Cost per Boa install £12.00 = £39 Per Boa x 15 = £585
- 61 Boas Market Square and High Street, Cost per Boa £9.40 Cost per Boa install £8.20 = £17.60 per Boa x 61 = £1,073.60
- Icicle Lights 15m not installed £20 per meter including install 15 x £20 = £300
- 3m Motifs Witan Way x 2 = £140 + Install £140 = £280

- 2m Motif Harpers £70 + install £80 = £150
  - 3m Motif Corn St LP9 Unit £60 + install £70 = £130
  - Church Green Twinkling Light line 1 line of 2 = Unit £120 + install £150 = £270
- Total amount

**£2,788.60**

Penalty Clause amounts to 12<sup>th</sup> December stood at

- Failure to test and provide pull test certificate by end of September 19  
£250 + £125 every 5 working days 45 days = 9 x £125 = £1,125 + £250 = £1,375
  - Failure to install commission and test with test certificate by 2 full working days prior to switch on  
£750 plus £500 for every subsequent day = £750 = £500 = £1,250
  - Failure to install commission test and supply test certification by switch on day time, £1,500  
+ £750 for each subsequent 24hrs.  
£1,500 + 10 x £750 = £9,000
- Total amount

**£11,625**

In total together **£14,413.60.**

**Gala Lights have currently offered £3,500 reduction for the shortfall in lighting this year.**

There have also been issues with lights failing during this year's display on several occasions. Three trees on Market Square, the Cross Street and four Wall Motifs to Langdale Gate failed twice and on the second occasion these lights did not operate between 27<sup>th</sup> December and switch off on 5<sup>th</sup> January, despite the Operations and Estates Officer reporting the issue on 28<sup>th</sup> December. These failures were blamed on rain getting into the electrical connections. The contract states that maintenance and repairs should be carried out twice weekly, however repairs were only carried out when issues were pointed out by the Operations and Estates Officer.

The Operations and Estates Officer terminated the current Christmas lights contract on 31<sup>st</sup> December following the Council's resolution to do so on 9<sup>th</sup> December 2019.

The new Christmas Lights tender documentation will need to be drawn up by Officers during January or early February. The next Christmas Sub Committee is on 24<sup>th</sup> February so it would be helpful if this could be brought forward to the end of January/early February in order that Council can make recommendation regarding the new contract specification within the tender.

## **ENVIRONMENTAL IMPACT**

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 – with this in mind Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

## **RISK**

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

## **FINANCIAL IMPLICATIONS**

The associated sum regarding any reduction or penalty charge regarding this years Christmas Lights display.

## **RECOMMENDATIONS**

Member are invited to note the report and consider the following:

- Gala Lights request that the Council accepts a £3,500 reduction for the shortfall in lighting this year;
- That the Council suggests a separate figure to compensate for shortfall in lighting and penalty clauses;
- Bringing forward the next Christmas Sub-committee meeting to discuss the specification for the new Christmas lights display from February 24<sup>th</sup> to the end of January or beginning of February 2020.