

Notice of Non-key Executive Decision

Subject Heading:	Award of contract for the acquisition of Grounds Maintenance Assets
Decision Maker:	Mark Butler – Director of Asset Management
Cabinet Member:	Councillor Barry Mugglestone– Cabinet Member Environment
SLT Lead:	Dave McNamara – Director of Finance
Report Author and contact details:	Simon Blake 01708 433202 Simon.Blake@onesource.co.uk
Policy context:	Supporting the Places objectives within the Corporate Plan and in particular the Council's Air Quality Action Plan
Financial summary:	The value of the proposed contract award is £149k funded from Parks Capital Code C39150
Relevant OSC:	Places OSSC
Is this decision exempt from being called-in?	Yes, it is a non-key decision by an officer

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents

Place - A great place to live, work and enjoy **X**

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks authority to award a contract to Russell Groundscare Equipment Limited for the purchase of three ride on flail mowers at a value of £149K.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, para 3.4 of the Constitution –Powers of Second Tier Managers.

Contract powers: (a) to approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU threshold for supplies and services.

STATEMENT OF THE REASONS FOR THE DECISION

Havering's grounds maintenance team is responsible for 108 parks and open spaces totalling approximately 2122 acres. These are maintained under the Keep Britain Tidy NI 195 standard, and use the official grading manual from Parks for London.

Grounds maintenance are responsible for the following:

- Maintaining the status of 16 Green Flag Parks
- Grass care for 25 schools and school fields
- Maintaining 225 residential areas on a 15 day planned schedule
- Maintaining 670 roads on a 15 day planned schedule
- Specialist grass care for the following sports facilities, 6 bowling greens, 8 cricket pitches, 9 running tracks and 97 football pitches
- These machines are subjected to arduous working conditions and the current ones are now at the end of their planned working life. If these machines are not replaced it would impact on the service, due to mechanical failure of parts (age related) and increased downtime. This would impact on residential recreational areas (parks), as planned cutting schedules for large areas would need to be altered due to the current machines unavailability. The grounds maintenance teams may have to seek alternative less cost effective means to maintain grass cutting, which could have a direct impact on the environment due to additional machine hours and vehicle trips.

The further addition of the 3 ride on flail mowers would meet the current and future demands of the service, whilst continuing to keep to the high performance levels expected.

These new flail ride on mowers will be heavily utilised in all the parks, maintaining grass verges, residential lawned areas and large open spaces such as school playing fields by the parks teams. This will have a positive impact on the health and well-being for local residents and children for sports education.

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A mini competition process was held to Havering's required specification under Lot 1 of The Procurement Partnership Ltd ("TPPL") and the North East Procurement Organisation ("NEPO") Grounds Maintenance and Plant Procurement Framework.

Two bids were received, but only one of these matched the specification required under a fail or pass criteria.

Tender Scores:

Russell Groundscare Equipment Limited score 100% as follows:

Price 40%

Delivery 20%

Warranty 20%

Aftersales 20%

Meeting specification Pass/ Fail - **Pass**

Provider B – Failed, did not meet tender specification

OTHER OPTIONS CONSIDERED AND REJECTED

Do nothing

In light of the increasing demand upon the Grounds Maintenance Teams in recent years it is considered essential to purchase these 3 new additional machines. Not purchasing these machines could impact on the cutting services Grounds Maintenance provides to schools and residential recreational areas. If these additional machines were not purchased some cutting areas within the borough would temporarily be suspended until other mowers were made available again, impacting on the residents well-being and schools sports activities.

Spot Hire

The Ride On Mowers are extremely hard to acquire via spot hire and currently cost in the region of £ 2714.28 per month for a ride on flail mower with a 762mm > 2130mm cutting width. These mowers would be used for a minimum of 45 weeks per year. Permanently hiring these machines would cost £97,714.08 p.a each, which is more expensive than purchasing three mowers.

Contract hire rather than purchase

These machines and the environment they work in are subject to arduous working conditions, and contract hire companies can be very expensive due to end of contract return conditions otherwise known as betterment charges. These charges can be costly especially if the operator goes over the maximum estimated hours the machines are used for the term of the lease / contract. The maximum contract hire term is 7 years and the annual lease charges would be higher than purchasing them outright. Purchasing the machine (gang mowers) reduces Grounds Maintenance running costs and charges to its internal clients over the operating period.

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BEA (Battery Electric Alternative)

At present there are no electric alternative stand on mowers available. Manufactures of specialist grounds care plant are currently only at the research and development stage.

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Simon Blake

Designation: Head of Transport

Signature: *S. Blake*

Date: 23.1.23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council is responsible for maintaining the parks and open spaces that it owns. The Council is making a decision to award a goods contract for the purchase of replacement mowers for that purpose.

The Council has the power to enter into a contract for these goods through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, or through its general power of competence under section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The Council is a contracting authority for the purposes of the Public Contracts Regulations 2015 ("PCR"). The value of the contract is below the applicable threshold for goods contracts stipulated in the PCR of £213,447 and therefore is not subject to the full PCR regime.

However, any procurement must comply with the Council's Contracts Procedure Rules (CPR).

The body of this report confirms that the procurement was undertaken in accordance with the Council's Contract Procedure Rules and thus the award is compliant.

FINANCIAL IMPLICATIONS AND RISKS

Capital Implications of the purchase

The purchase of this plant estimated at £149k will be funded from the Parks Capital Code C39150.

Revenue Implications of the purchase

There will be an annual charge of £10,431 to the grounds maintenance service revenue budgets to reflect the whole life cost (WLC) of the vehicles. This includes annualised costs of the estimated routine maintenance costs and insurance costs over the life of the vehicle. The charges will be applied to the Grounds Maintenance revenue budgets.

The purchase of these 3 additional machines will also avoid Grounds Maintenance from incurring revenue hire costs. These proposed machines will have an operating life of 7 years and will be maintained by our in-house workshops.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no anticipated HR issues resulting from this decision

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EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

In this case there is no impact, as we are replacing like for like machines which are already used by staff, service users in residential areas improving the landscape for the residents living in the borough.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The ride on flail mower grass cutting machinery required come fitted with sixteen fine tip cutting blades per head unit. These machines are designed for variable height re-cutting of grass clippings and then dropping them back on to the lawn. This allows the cuttings to decompose and feed nutrients back into the lawn without the need for any chemical feed. This purpose reduces the following:

- Cutting duration is reduced as there is no need to collect any cuttings reducing machine operating time
- No unnecessary trips to dispose of green waste, saving fuel and reducing our carbon footprint
- Grass requires no chemical feed due to the mulching process and therefore no additional vehicle trips required, reducing unnecessary fuel consumption and reducing our carbon footprint.

These machines are subjected to arduous working conditions and are now at the end of their planned working life. If these machines are not replaced it would impact on the service, due to mechanical failure of parts (age related) and increased downtime. This would impact on residential recreational areas (parks), as planned cutting schedules for large areas would need to be altered due to the current machines unavailability. The grounds maintenance teams may have to seek alternative less cost effective means to maintain grass cutting, which could have a direct impact on the environment due to additional machine hours and vehicle trips.

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BACKGROUND PAPERS

None

APPENDICIES

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name:

Mark Butler

Director of Service title:

Director of Asset Management

Date:

22nd February 2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____

Executive Decision Report Audit Trail

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Position/Title	Directorate	Date Sent	Date received	Date Cleared
	Cabinet Lead			
	Member			
	SLT Director			
	Legal			
	Finance			
	Human			
	Resources			
	Equalities			
	Health			
	Democratic			
	Services			