

Notice of Non-Key Executive Decision

Subject Heading:	Tree Survey Contract – Permission to commence tendering process
Decision Maker:	Imran Kazalbash
Cabinet Member:	Cllr Barry Mugglestone
ELT Lead:	Neil Stubbings
Report Author and contact details:	Samantha Eady, Programme Manager
Policy context:	<i>Supports making the borough a great place to live, work and enjoy by ensuring the Council's tree stock in priority areas is safe and maintained enhancing the green spaces for our residents.</i>
Financial summary:	The estimated cost of the contract is approximately £0.100m to be funded from existing revenue budget allocation within AD Public Realm.
Relevant Overview & Scrutiny Sub Committee:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

Non-key Executive Decision

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

People - Supporting our residents to stay safe and well

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

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons detailed in this report the Director of Environment is recommended to approve:

1. Procurement of a tree survey contract for parks and open spaces, undertaken via a Request for Quotation (RFQ) process, with an estimated value of £100,000.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 [Responsibility for Functions] of the Council's Constitution
Scheme 3.3.3 Powers common to all Strategic Directors

4. Contracts

4.1 To approve commencement of a tendering process for all contracts below a total contract value £1,000,000.

STATEMENT OF THE REASONS FOR THE DECISION

The Council has a legal duty to manage the risks posed by trees on land which is owned or controlled. This is primarily governed by the Health and Safety at Work Act 1974 and the Occupiers' Liability Acts 1957/1984. The council must take reasonable steps to ensure that trees do not pose an unacceptable risk to people or property. This is typically achieved through regular tree surveys, risk assessments, and timely remedial works.

To date, tree inspections have been carried out in response to visual assessments by parks officers, and service requests from members of the public, with a primary focus on high footfall areas.

The recent implementation of a new tree management system presents an opportunity to revisit historic survey data and enhance the evidence base, supporting the development of a more robust and proactive monitoring regime.

One of the outputs will be to provide condition surveys and recommendations for future inspection cycles. Trees identified as requiring attention will be attended to by the existing tree maintenance contractor.

There is an existing annual tree maintenance budget for Parks and Highways, of approximately £0.700m for a full financial year.

It is expected that this project will last approximately 6 months, however it is likely that the bidders themselves will provide a more precise estimate at the time of tender.

Non-key Executive Decision

The priority zones will include, but not be limited to high footfall areas such as:

- Play areas
- Sports pitches
- Formal pathways
- Car parks
- Buildings areas
- Property boundaries

Ongoing cyclical inspections may require additional resources however; this will be better understood once this initial survey is carried out.

OTHER OPTIONS CONSIDERED AND REJECTED

The possibility of utilising our existing staff resources was thoroughly considered; however, it has been determined that they lack the time and capacity to undertake this work.

PRE-DECISION CONSULTATION

None

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

Name: Samantha Eady

Designation: Programme Manager

Signature: *Samantha Eady*

Date: 24/09/25

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The procurement process must comply with council and statutory requirements to avoid legal challenge or audit issues. Failure to act on survey recommendations could expose the council to liability if tree-related incidents occur.

The procurement is below threshold and therefore the full rigours of the Procurement act 2023 (PA) do not apply. However, the Council's Contract Procedure Rules must be complied with.

FINANCIAL IMPLICATIONS AND RISKS

This report is seeking approval to procure and award a tree survey contract with an estimated value of £0.100m, funded from the existing revenue budget within Environment Service. The proposed contract will support the Council's statutory duty to manage tree-related risks across parks and open spaces and will inform future inspection cycles and maintenance priorities.

The cost of the survey is expected to be contained within the current year's revenue allocation. However, it is noted that the scope of the survey may identify remedial actions or cyclical inspection requirements that could have future financial implications. These will need to be assessed against the existing annual tree maintenance budget of £0.700m and monitored through contract management processes.

Any additional resource requirements arising from the survey outputs should be subject to further financial review and approval. The procurement will be undertaken via a Request for Quotation (RFQ) procedure, and final contract value will be confirmed following market engagement.

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

There is no impact on any directly employed Council employees, and no existing external contract for inspections is currently in operation. The procurement process can be undertaken within existing staff resources.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The inspections of trees will focus on high use areas, considered the highest risk, which will include footpaths, seating areas and play areas. There are no anticipated equalities and social inclusion implications or risks associated with this contract.

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;

Non-key Executive Decision

(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 socioeconomics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion, this is not required.

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

There are not equalities and social inclusion implications and risks associated with this decision

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The project supports environmental stewardship by enabling proactive tree management and risk reduction. There is recognition of the need to balance operational needs (e.g., heating, maintenance) with climate change considerations.

BACKGROUND PAPERS

None

APPENDICES

N/A

Non-key Executive Decision

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: Imran Kazalbash

Cabinet Portfolio held:
CMT Member title: Director of Environment
Head of Service title
Other manager title:

Date: 21st October 2025

Lodging this notice

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

For use by Committee Administration

This notice was lodged with me on _____

Signed _____