

**TITLE OF REPORT: GROUNDS MAINTENANCE CONTRACT SPECIFICATION
OPTIONS FROM 2012 ONWARDS**

REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES

1. PURPOSE OF REPORT

To seek the comments from the Five Area Committees which will be presented at Cabinet on 28 September 2010 for approval, in principle, to the adjustments proposed for the numerous specifications within the current grounds maintenance contract that is due to expire on 31 March 2012.

2. FORWARD PLAN

2.1 This report contains a recommendation on a key decision that was first notified to the public in the Forward Plan on the 1st December 2009.

3. BACKGROUND

3.1 The current contract arrangements commenced on the 1st January 2004 and are due to expire on the 31st March 2012.

3.2 Our current service provider, John O'Conner Grounds Maintenance Ltd, is contracted to provide all the services to deliver high quality public open spaces to the Districts residents and visitors within the confines of the contract specification.

4. KEY CONSIDERATIONS

4.1 Following a review of the current contract documents the following additions and deletions are proposed for inclusion within the next contract documents.

4.1.1 **Weed Control** – Previously this was tendered on an annual basis. Since 2008 the weed control provision has been included within the District wide contract as a negotiated price that is competitive within the market place as evidenced in 2008. The proposal is to include this item within the core contract in the future.

4.1.2 **Maintenance of River Culverts** – This is an additional piece of work that came under the Grounds Team responsibilities in 2008. This work was undertaken on an adhoc basis with regular monthly inspections delivered following an annual quotation. This also includes the drainage and cleaning of the balancing tanks to the front of St Mary's Church in Hitchin, which is normally undertake following an annual quotation process. The proposal is to include this item within the core contract in the future.

- 4.1.3 **Maintenance of Shrub Borders** – Currently shrub borders are specified to be maintained once a month or on 12 occasions annually with herbicides not permitted. The proposal is to permit the application of approved herbicides and to reduce the number of visits to 6 annually. Visits should be twice in the winter and on four occasions in the summer.
- 4.1.4 **Snow Clearance & Gritting** – Currently this is included within the contract as Daywork. The proposal is to keep the specification unchanged but to demand that for this type of work that only a 50% charge of normal daywork rates is applied. It is anticipated that this will entail that this operation will be affordable, will keep operatives and equipment within the work place so that they can be allocated areas of work appropriately.
- 4.1.5 **Semi Rough & Rough Grass Cutting** – It is proposed that these existing standards of grass cutting are merged into one standard. This would mean that the Semi Rough standard of approximately 4 weekly visits would be merged with the lower standard of Rough Grass Cutting that occurs every 6 – 7 weeks throughout the growing season. It is anticipated that there would be no visual aesthetic affect and that it would produce an estimated saving of £5,000 annually at current contract rates.

5. LEGAL IMPLICATIONS

- 5.1 The terms of reference for Area Committees include the power “to provide local input into centrally determined specifications for all services”.
- 5.2 Various elements of the grounds maintenance services provided by North Hertfordshire District Council are carried out pursuant to the Council’s statutory duties. As such the Council has a responsibility to provide appropriate systems, processes and policies to deliver these services.
- 5.3 The Council will throughout the tendering process need to comply with all relevant public procurement rules whether they arise by virtue of the Council’s constitution or by virtue of domestic or EU law.

6. FINANCIAL RISK IMPLICATIONS

- 6.1 Due to the current economic climate it is anticipated that any tenders received will be competitive and as such costs could be controlled. However, due to the volatility of the financial markets this may not be the case at the time of issuing tenders.

7. RISK IMPLICATIONS

- 7.1 The key risk is that any change to the existing contract could increase the costs of any tenders received. However it is anticipated that also updating the Terms and Conditions of the contract documents that future cost can at least be controlled and maintained at current levels.

8. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 8.1 The Council recognises the changing nature of equality legislation and incorporates national legislation and regulations into its scheme and services as appropriate, as set out in the Council's Corporate Equality Strategy. The Race Relations (Amendment) Act 2000 marked a very significant innovation in the legal framework. It placed much of what was previously only advisory and voluntary on to a statutory footing. The Act extends the provisions of the Race Relations Act 1976 to cover all the activities of all public authorities. It makes important extensions to public authority duties. Equivalent statutory duties have been created for disability by the Disability Discrimination Act 2005 and for gender by the Equality Act 2006. These duties divide into a general duty and specific duties.
- 8.2 During the development and consideration of the different proposals the impact of equality of access and outcomes should be considered.

9. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 9.1 This report forms part of the consultation process via the Area Committees, as part of developing the new contract arrangements. However the Portfolio Holders for Environment and Leisure have already been consulted with regards the various elements as detailed in section 4 above.

10. RECOMMENDATIONS

- 10.1 That the Committee be requested to note the proposed new contract arrangements for Grounds Maintenance and put forward comments and suggestions on the proposals at this meeting or by email to the Service Manager Grounds - andrew.mills@north-herts.gov.uk
- 10.2 That Officers are authorised to proceed with preparations to produce the new contract documents.
- 10.3 That a report is presented to Cabinet to inform Members of the results of the tendering process and to seek approval for award at that time.

11. REASONS FOR RECOMMENDATIONS

- 11.1 To allow reasonable opportunity for the grounds maintenance contract to be renewed with minimal disruption to the service provision and to enable the District Council an opportunity to better forecast its future financial commitments.

12. AUTHOR

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