

MUNICIPAL YEAR 2014/2015 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

OPERATIONAL DECISION OF:

Director – Regeneration
and Environment

Agenda – Part: 1	KD Num: KD 3961
Subject: Highway Tree Maintenance Services – further contract extension	
Wards: ALL	

Contact officer and telephone number: Mike Vassiliou 202 8379 3518

Email: mike.vassiliou@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report requests the approval to extend the existing Highway Tree Maintenance Services Contract for a further period of 6 months from the 1st October 2014 to the 31st March 2015
- 1.2 The existing contract expires on the 30th September 2014

2. RECOMMENDATIONS

- 2.1 That approval is given to the extension of the existing Highway Tree Maintenance Contract (G/MD330) for a further period of 6 months currently awarded to Gristwood and Toms, to enable completion of the re-tender exercise
- 2.2 To align the new Enfield Tree Maintenance Contract with the start of the 2015/16 financial year.

3. BACKGROUND

- 3.1 In April 2009, Cabinet approved that the Highway Tree Maintenance Contract be awarded to Gristwood and Toms Ltd.
- 3.2 The Contract which commenced on 1st October 2009 was for a period of three years with two single year extension options.
- 3.3 The contract let is for the Provision of Highway Tree Maintenance Services;
- 3.4 The contract specification includes for the stemming of lime trees three times a year, the stemming of ornamental trees once a year, the pollarding of approx. 2000 trees per annum (based upon a 2 year cycle), the combination pruning of approx.. 4000 trees per annum (based upon a 4 year cycle). Planting of new trees, aftercare provisions to newly planted trees, the felling and stump grinding of trees (either outgrown their location or diseased), and general works including cutting back boundaries, around service boxes and lamp columns, responding to public complaints, councillor requests and trench excavations for insurances purposes.
- 3.5 The contractor is monitored on their performance and their outputs using the Key Performance Indicators set out in the contract. The contractor is monitored in relation to the day to day maintenance regime; general site conditions; response to customer complaints; that all routine works are completed within the agreed program; and that all Programmed Projects are completed within the agreed timescales.
- 3.6 Monitoring results confirm that the contractor is continuing to perform between 95%-100% of the performance targets that have been set in the contract. Performance is monitored by council officers, and through monthly meetings with the contractor where KPI stats are discussed and collated.
- 3.7 The initial three years of the contract expired on the 30th September July 2012, a report was approved to first extend the contract for 2 years on the 11th April 2012. The existing contract expires on the 30th September 2014.
- 3.8 We seek the approval to extend the existing Highway Tree Maintenance Services Contract to the incumbent contractor Gristwood and Toms for a further 6 months taking the end date of the contract to the 31st March 2015, this will enable the completion of the re-tender exercise

- 3.9 The approval of the extension will allow us to align the new Enfield Tree Maintenance Contract with the start of the new financial year of 2015/2016.
- 3.10 Attached with this report is the waiver that is required to be approved to continue with the re-tendering process of the new Enfield Council Tree Maintenance Contract.

4. ALTERNATIVE OPTIONS CONSIDERED

An alternative option is not to extend the existing contract and finishing on the 30th September 2014, but during the re-tendering exercise there will be no continuity in the service for tree maintenance.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Extending the existing contract for a further 6 months to expire on the 31st March 2015, to enable the completion of the re-tendering exercise
- 5.2 To align the new Enfield Tree Maintenance Contract with the start of the 2015/2016 financial year.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS

6.1 Financial Implications

See Part 2 report

6.2 Legal Implications

The Highways Act 1980 ("the Act") requires the highway to be kept free of obstructions. Section 130 of the Act places a duty on the Highway Authority to protect the rights of the public to use and enjoy the highway. Specifically, section 154 of the Act gives the highway authority the power to require the removal or cutting back of trees, scrubs or hedges that obstruct or endanger highway users. The Council may enter into a contract for the provision of the maintenance services pursuant to section 1 of the Local Government (Contract) Act 1997.

As stated in the report, the Council is in the process of a competitive tender process and hopes to award a new contract on 1st April 2015, however, in the interim, an extension of the existing contract will ensure continuity of services, pending completion of the re-procurement.

A deed of variation for the extension must be in a form approved by the Assistant Director of Legal Services.

6.3 Property Implications

There are no Property Implications for this report

7. KEY RISKS

- 7.1 The expiry date for the existing tree maintenance contract is the 30th September 2014 and not extending the contract will lead to no continuity of service for tree maintenance whilst the tendering process is being completed for a new tree maintenance contract to be in place for 1st April 2015.
- 7.2 There is a risk if the contract is not extended we will not be complying with the council's Corporate Tree Strategy and therefore being unsafe to members of the public and users of council property, it will also increase the risk of insurance liabilities from claims associated to highway trees.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The provision of tree maintenance and improvement works to the highway and other assets will provide benefits for all in the borough.

8.2 Growth and Sustainability

Council Priority 2.2 - Improve the public realm, introducing better design, cleaner streets, and a greener, more sustainable environment, by effectively maintaining and management of the Councils tree stock.

8.3 Strong Communities

Work in partnership with others to ensure Enfield is a safe and healthy place to live by effectively managing the tree stock and increasing the number of trees within the borough which is proven to improve air quality, and therefore the Health and wellbeing of residents.

9. EQUALITY IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment/analysis is not relevant or proportionate for the approval of the 6 month extension period of this contract

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 The Contractor performance in delivering the service will have a direct impact on the Council's Vision and Priorities. The Contractor's performance will continually be assessed in the categories

1. Contract Management
2. Customer Satisfaction
3. Operational Performance

10.2 An Incentive Schedule of Key Performance Indicators take into account the above categories with targets set by the Council. These continue to be reviewed and updated to ensure the contractors continued performance.

10.3 Performance monitoring will be a continuous process and Key Performance Indicators will be reported monthly at the contract progress meetings.

10.4 Where specific KPI targets set in the Incentive table are not met, then Low Service Adjustments will be deducted from the application of payments.

11. HEALTH AND SAFETY IMPLICATIONS

Extension of this contract will allow compliance with the Corporate Tree Strategy thereby ensuring that robust and effective arrangements are in place to manage the Council's tree stock

- This will ensure a reasonable standard of safety to members of the public and users of Council property

12. PUBLIC HEALTH IMPLICATIONS

12.1 The continual improvement to public health and promotes a feeling of well-being for the residents.

12.2 Forms part of the personality of an area, helping to create a sense of pride and community

12.3 Has a positive influence on air quality, noise, flooding and global warming

12.4 To Provide shade and air conditioning effects

12.5 Provide habitat, enhancing the Council's ability to foster bio-diversity, and make the oxygen we breathe.

Background Papers

None