

FUTURE OF GROUNDS MAINTENANCE

Introduction

On 23 September 2024, the Council considered a report discussing options for the future provision of grounds maintenance in Cranbrook and agreed to pursue the possibility of providing a grounds maintenance operation in-house from 1 April 2026 onwards and recommended to the Finance & Personnel Committee to consider the draft budget for the 2025-26 financial year on the basis that a grounds maintenance compound would need to be established during the 2025-26 financial year at an indicated cost of £25,000 with a view to confirm whether the provision would be affordable (ref. minute 24/149).

Unfortunately, the tax base dated 30 November 2024 was not favourable and no funds could be allocated to a capital budget during the 2025-26 financial year.

The report which the Council considered on 23 September 2024 discussed two options; (1) continue to contract the grounds maintenance operation in its entirety and (2) to bring grounds maintenance operation in-house in its entirety. This report offers a third option, namely a progressive hybrid approach which can be upscaled – to bring the management of all *contracts* in-house from 1 April 2026 while carrying out a small number of functions within existing resources in-house.

Financial Regulation 5.11 (“Contracts must not be split into smaller lots to avoid compliance with these rules”) is satisfied by virtue of the different functions set out in this report being carried out at different times, at different intervals, with different plant, machinery and equipment and by virtue of utilising entirely different methods of operation.

Grounds Maintenance Functions

Currently, the Council awards an all-encompassing contract to Tony Benger Landscaping. That firm, in turn, sub-contracts some grounds maintenance functions such as hedge-cutting, mowing and baling etc to third parties.

The Council’s grounds maintenance service specification dated 2018 listed all the service functions which are carried out during the year and which can be summarised as follows:

1. Grounds Maintenance	<p>Grass cutting (including maintenance of amenity and tussock grassland as per the [emerging] open space management plan, strimming around furniture, gateway splays and train station, roll grassland in spring, maintenance of scrapes, maintenance of paths e.g. filling of depressions/pits articulated at a square meterage per annum)</p> <p>Application of herbicides within public open spaces including on paths, around furniture e.g. benches, bins, train station bike</p>
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	<p>shelter, pavements, town square, car park at the Ingrams sports pitches</p> <p>Coppicing of scrub vegetation on a rotational basis, with no more than half cut in any one year, to include small scrub trees at the train station</p> <p>Strim native woodland copses and edges as well as wet woodlands once annually (full areas),</p> <p>Soft landscaping, including management of ornamental shrubs at the Younghayes Centre, the Ingrams sports pitches, town square and the roundabouts (see below regarding the latter)</p>
2. Annual mowing/baling	of meadow grassland
3. Arboricultural management	to include hedge cutting, ditch clearance, arboricultural visual inspections of trees and the management of veteran trees and the decline of dead trees

The following functions which are included in the Council's current contract can be carried out in-house within existing resources:

Annual inspection of fencing, gates, seating

Pruning of orchard trees

Maintenance of hibernacula

Clearing trees of chocking vegetation

Maintenance of stream corridor and sustainable urban drainage (SUDS)

features including leats; Ranger to inspect and maintenance contracted on ad-hoc basis. including coppicing scrub vegetation, basin vegetation, on a rotational basis

Considerations

If the Council agrees to the proposal in this report, officers will develop detailed service specifications relating to all the above functions on the basis of which public procurement exercises can be carried out. These specifications will be congruent with the relevant management plans which already exist or which are being drafted and will be submitted to a future Council meeting, probably in May or June 2025, for approval before tendering.

The various procurement thresholds articulated in the Council's Financial Regulations will of course apply.

The train station maintenance is currently carried out by Tony Benger Landscaping under contract with the Town Council and the latter recharges to Devon County Council. Approval will be sought from the County Council regarding whether the latter

wishes to continue with this arrangement before any procurement exercise is prepared.

It is also suggested that a conversation be entered into with the local highway authority Devon County Council regarding the long-term maintenance of roundabouts – for example, if there is a desire to retain and maintain ornamental shrubs.

The Ranger and Handyperson have expressed the desire to purchase a chainsaw and brushcutter in order to create the ability and capability to carry out some grounds maintenance functions in-house, e.g. coppicing of willows and minor tree works. Training is estimated at £1,000 per person, personal protective equipment at £150 per person, the purchasing cost of the equipment at £800, as well as maintenance and servicing at £200 per annum. It is anticipated that the equipment can be securely stored within one of the storage containers at the Ingrams sports pitches. These provisions had not been included in the Council's budget for the 2025-26 financial year.

It is suggested that the length of the contracts should be three years by which time the Town Council may have increased its capacity and capability to carry out more functions in-house. It is worth noting that the Procurement Act 2023 does not explicitly allow for a contract extension by 50%, as the Public Procurement Regulations 2015 had done, without specific justification; it generally limits contract modifications to a "non-substantial" change, which typically means a much smaller increase in contract value, often capped around 10% depending on the circumstances (ref. Section 74 of the Act). Schedule 8, section 1 of the Act provides that a modification is permitted if the possibility of the modification is unambiguously provided for in the contract as awarded and the tender or transparency notice for the award of that contract, and the modification would not change the overall nature of the contract.

Recommendation(s)

a) To agree in principle to the following:

- i. Procurement of a contract covering items of regular and recurring grounds maintenance (e.g. cutting of amenity grass);
- ii. That less frequent and/or irregular grounds maintenance activities such as annual mowing/baling of meadow grass, hedge cutting and arboricultural management are procured as and when required; and
- iii. Note those grounds maintenance functions which can be carried out in-house and which are listed in the report.

b) To delegate to the Clerk in conjunction with the Open Space Management Plan Working Group to submit detailed service specifications on which future procurement can be carried out to a future meeting of the Council.