



ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE

Monday, 19 June 2023

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| REPORT TITLE: | GROUNDS MAINTENANCE MACHINERY – AWARD OF CONTRACT |
| REPORT OF: | DIRECTOR OF NEIGHBOURHOOD SERVICES |

REPORT SUMMARY

This report requests that the Environment, Climate Emergency and Transport Committee approves the purchase of Parks Machinery, following a recent competitive tender exercise, from the Parks Machinery Capital included in the Council's Capital Programme.

This report supports two key priorities in the delivery of the Wirral Plan: -

- Sustainable Environment – the Parks Machinery will be used to manage parks and open spaces, including the management of woodland, beaches, and rewilding / pollinator areas.
- Active & Healthy Lives – The Parks Machinery will be used to maintain the significant number of play pitches within the borough and recreational parkland.

This is a key decision as it relates to expenditure over £500,000, and this decision will affect all wards in the borough.

The award of contract that are referred to in this report were submitted confidentially for commercial reasons. Therefore, Appendix 1 of this report is exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972

RECOMMENDATION

The Environment, Climate Emergency & Transport Committee is recommended to authorise the Director of Neighbourhoods, following the recent competitive tender exercise, to award the contracts to purchase the Grounds Maintenance Machinery detailed in this report from the highest scoring bidders in accordance with the Most Economically Advantageous Tenderer Criteria.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATIONS

- 1.1 The Parks & Countryside Service use a wide variety of machinery to maintain Wirral's parks and open spaces, play pitches, cemeteries, highway verges and beaches. The majority of existing machinery is now 10 years old or older and has reached the end of its useful life and needs to be replaced.
- 1.2 Provision for the purchase of Parks Machinery was made in the 2019/20 Capital Programme agreed by Council on 4 March 2019. At that time, a three-year programme of procurement was envisaged; however, due to delays in procurement as a result of first the COVID Pandemic and then staff changes, procurement activity only commenced from 2022. A total of £2,635,000 Capital has been included in the 2023/24 Capital Programme, profiled over two years.
- 1.3 A competitive procurement exercise has been undertaken using the TPPL (The Procurement Partnership Limited) Framework.
- 1.4 The results of the tender exercise, the preferred suppliers and cost for each item is provided in Appendix 1: Parks Machinery - Machinery Pricing & Scores.
- 1.5 In line with the Council Contract Procedural Rules, given the overall value, this procurement needs to be considered by the Environment, Climate Emergency & Transport Committee and agreement received prior to purchase.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 **Do Nothing** -The age of this machinery, which is serviced and maintained by the Parks & Countryside Workshop, is such that breakdowns are more frequent, which leads to increased repair costs. Alongside increased repair costs the service delivered suffers, due to increased down time, leading to increased complaints from residents. The design of machinery has improved over the past 10 years with new machinery being more fuel efficient, reducing costs and emissions. Advances in material and manufacturing technology have brought about improved designs of hand-held and hand-guided machines with lower levels of vibration emission, helping to reduce injuries such as hand-arm vibration syndrome and carpal tunnel syndrome which can affect the health and wellbeing of operators. Given these factors, a 'do nothing' option is not believed to be viable.
- 2.2 **Re-procurement from Capital** – Purchasing new replacement machinery, based on current and proposed future methods of managing the estate, provides the benefits of reduced downtime, reduced emissions and having the right machinery for the job. New machinery would also assist in reducing operators' exposure to vibration, although regular monitoring of operator exposure would still be required to manage the residual risk. This is the preferred option.

3.0 BACKGROUND

- 3.1 The Parks & Countryside Service maintains the Council's 'green estate' which totals some 1,700 Hectares (4,200 Acres) of maintained land. This estate is diverse and

includes over 300 parks and open spaces (including world renowned parks such as Birkenhead Park, formal gardens, country parks and nature reserves and play pitches) as well as 26 miles of coastline, woodland, cemeteries, and highway verges. To manage this estate, a range of handheld or ride on machinery is used.

- 3.2 At present, there is a wide range of Parks Machinery used to maintain this estate. Most of this machinery is over 10 years old, with a previous large-scale procurement occurring in 2013, as such much of this machinery has reached the end of its useful life.
- 3.3 Ageing machinery leads to higher maintenance costs and reduced availability of parts, as manufacturers discontinue production. Older machinery also has implications for operator safety, with the risk of malfunctions increasing with the age of the machinery.
- 3.4 The more modern design of machinery is also typically more fuel efficient than older equivalents meaning that new machinery uses less fuel, has lower emissions and is, therefore, kinder to the environment.
- 3.5 The procurement process has been based upon revised machinery requirements taking into account a reduced requirement overall and the requirement to manage areas of taller vegetation arising from re-wilding, pollinator areas and reductions in the frequency of grass cutting. Specifications for each item of machinery were developed and formed the basis of the procurement. Where possible electric or hybrid fuel sources were included in the specification, as alternatives to petrol or diesel, although the level of development of these alternatives is still at a formative stage.
- 3.6 Consulting with colleagues in the Council's Procurement Service, a competitive procurement exercise was undertaken in late 2022 using the TPPL (The Procurement Partnership Limited) Framework. Suppliers were invited to tender for each item of machinery.
- 3.7 In early 2023 a panel of officers scored the submissions received, which met the specifications issued based on the following scoring criteria, which had been shared with suppliers previously as a part of the tender exercise. The scoring criteria was as follows: -

Quality (40%) comprising: -

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| Delivery Timescales (in weeks) | = 5% |
| Warranty - Duration (in years) | = 2.5% |
| Warranty – Mileage | = 2.5% |
| After Sales Service | = 30% |

Price (60%)

- 3.8 The results of the group scores are provided in Appendix 1: Parks Machinery - Machinery Pricing & Scores of this report. Appendix 1 also provides the preferred supplier for each item of machinery based on the supplier with the highest score for each item of machinery.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Provision for the purchase of Parks Machinery was first agreed in the 2019/20 Capital Programme agreed by Council on 4 March 2019. At that time, a three-year programme of procurement was envisaged. However, due to delays in procurement as a result of first the COVID Pandemic and then staff changes, procurement activity only commenced from 2022.
- 4.2 Provision was also made in the 2021/22 Capital Programme for the purchase of replacement Beach Cleaning Machinery - Beach Rake and Tractor, with £122,000 being provided. The Beach Rake was purchased in that year, at a cost of £28,000. The remaining £94,000, provided for the purchase of a Tractor was carried forward into the 2022/23 Capital Programme. The Capital funds agreed for Parks Machinery, as a part of the 2022/23 Capital Programme was for £2,635,000.
- 4.3 The 2023/24 Capital Programme made provision for the purchase of Parks Machinery to a total value of £2,635,000. However, following review, it was agreed that this would be allocated across two years, as set out in Table 1 below, and that the £94,000 provided for the Beach Tractor be removed with the ongoing requirement being met from the existing Parks Machinery Capital.

Table 1: Capital Fund for Parks Machinery

| | 2023/24 | 2024/25 | Total |
|------------------------|----------------|----------------|--------------|
| Parks Machinery | £2,136,000 | £499,000 | £2,635,000 |

- 4.4 The cost of procuring the items, detailed in the Appendix to this report, totals £2,448,027.75. Due to the delivery timescales indicated by providers for items of machinery, it is expected that the cost of purchasing this machinery would be spread over two years, with items provided on a 40-week delivery timescale falling into the second year, as indicated in Table 2 below.

Table 2: Capital Cost of Parks Machinery (included in this report)

| | 2023/24 | 2024/25 | Total |
|------------------------|----------------|----------------|---------------|
| Parks Machinery | £2,089,097.75 | £358,930 | £2,448,027.75 |

- 4.5 The remaining balance, as set out in Table 3 below, would be used for the purchase of a small number of remaining items, including pedestrian road sweepers, which were not available on this round of procurement via the framework.

Table 3: Capital balance for Parks Machinery following this round of procurement.

| | 2023/24 | 2024/25 | Total |
|------------------------|----------------|----------------|--------------|
| Parks Machinery | £46,902.25 | £140,070 | £186,972.25 |

5.0 LEGAL IMPLICATIONS

- 5.1 The award of this contract is being made on a Most Economically Advantageous Tender - MEAT basis. The meaning of MEAT is governed by the Public Contract Regulations 2015. The criterion for award includes assessment of the best ratio of price and quality criteria. This procurement has followed the Council's Contract Procedure Rules, which set out how contracts are to be awarded by the Council.

- 5.2 The Council has legal duties in relation to the maintenance of land. The Local Authorities' Cemeteries Order 1977 s.4 as amended states that 'A burial authority shall keep the cemetery in good order and repair, together with all buildings, walls and fences thereon and other buildings provided for use therewith'.
- 5.3 The Public Health (Control of Diseases) Act 1984 s.46 places a duty on a Local Authority to 'cause to be buried or cremated the body of any person who has died or been found dead in their area'. A part of this proposed procurement is machinery for cemeteries to be used to assist in burials as well as grounds maintenance.
- 5.4 The Highways Act 1980 s.41 places a duty on Local Authorities to maintain Highways. The duty extends to all Highways maintainable at the public expense, with the exception of trunk roads. The Section 41 duty is not absolute. The Highways Authority must take such care in all the circumstances as is reasonably required to ensure the Highway is not dangerous for traffic. As such, the Local Authority is required to mow verges and cut back hedges for sight lines.
- 5.5 The Control of Vibration at Work Regulations 2005 require employers to assess and control the risks to the health and safety of their employees from vibration. Whole-body vibration exposure can lead to back pain, and regular and frequent exposure to hand-arm vibration can lead to two forms of permanent ill health known as hand-arm vibration syndrome - HAVS and carpal tunnel syndrome - CTS. Symptoms of both may come and go, but continued exposure to vibration may become prolonged or permanent and cause pain, distress, and sleep disturbance. Newer machinery is designed to reduce vibration exposure and therefore reduce risk, although regular monitoring of an operator's exposure is still required to reduce risks further.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Staffing: The Control of Vibration at Work Regulations 2005 require employers to assess and control the risks to the health and safety of their employees from vibration.
- 6.2 ICT: New machinery will be fitted with a Radio Frequency Identification – RFID - 'tag' tool programmed with information to track efficiencies and operator vibration exposure; this is entered into the Workshop database.
- 6.3 Assets: This report sets out the procurement process undertaken and seeks approval for the purchase of the Parks Machinery identified; as such, if procurement is approved, the machinery purchased will become an asset. The new machinery purchased is intended to replace existing machinery, which has come to the end of its life. A process for the disposal of old machinery will be put in place, with any income generated from this disposal being returned to the Council's budget.

7.0 RELEVANT RISKS

- 7.1 There are risks to the Council and residents if maintenance is not carried out in our parks and open spaces. Maintenance, including grass cutting, hedgerow cutting, and tree work, is required to reduce hazards to members of the public and reduce growth that can lead to damage to park's infrastructure, such as paths and buildings.

- 7.2 Unmanaged highway verges can lead to damage to the highway infrastructure leading to costly repair and maintenance bills.
- 7.3 The Council, as an employer, has duties to its staff under the Control of Vibration at Work Regulations to identify, assess and reduce risks from exposure to vibration. The purchase of new machinery would assist in meeting this duty and reduce this risk.
- 7.4 A delay to this procurement, which was originally envisaged to have started in 2019, would place further pressure on the service. The machinery currently being used is over 10 years old and has become more difficult to service and maintain as time progresses. Replacement machinery is required to carry out the maintenance to the standards agreed by Council and which our residents expect.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Engagement and consultation has been undertaken with a variety of suppliers over the past several years as to what machinery is available and may be useful in managing the estate. This has informed the development of specifications as a part of the procurement exercise.
- 8.2 As a part of other initiatives, such as 'No Mow May', reduced grass cutting regimes, the creation of pollinator and re-wilding areas engagement and consultation with key stakeholders, including residents and elected members, has been undertaken. While specific items of machinery were not the subject of these discussions, the need to replace existing machinery for machinery that can be used on longer vegetation has been discussed, including the need for more flail mowers to support this change in the way the estate is managed.

9.0 EQUALITY IMPLICATIONS

- 9.1 An Equality Impact Assessment has been undertaken and details the potential positive and negative impacts arising.
- 9.2 The Equality Impact Assessment is available via this link:
<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The Council's Environment & Climate Emergency Policy Statement sets out the Council's commitment to promoting biodiversity. Several initiatives have been implemented by the Parks & Countryside Service to support greater biodiversity, such as reduced grass cutting and 'No Mow May', the designation and creation of pollinator areas as well as rewilding areas. This change in the way the green estate is managed has led to a requirement for different types of machinery. For example, designated Pollinator areas are encouraged to grow, with cutting only taking place from June / July onwards. This means that when cut, the vegetation in these areas is long and needs machinery that can cope with longer vegetation. As the collection of cut vegetation is not feasible, cutting machines need to also be able to finely cut the

vegetation in order that they decompose more quickly and feed the ground. As a part of this proposed procurement, machinery capable of achieving these results has been included.

- 10.2 Where possible electric or hybrid fuel sources were included in the specification, as alternatives to petrol or diesel. Unfortunately, the level of development of these alternatives is still at a formative stage. The service does currently use some electric handheld machinery, but due to limited battery life, these are only suitable for operators that use them for short periods, even with extra batteries. The robustness of electric machinery is also a problem with a comparatively high failure rate. It is envisaged that over the next 3-5 years, technology in Turfcare machinery and supply will improve to make this a more practical option and the service does remain committed to using these wherever possible.
- 10.3 The more modern design of machinery is more fuel efficient than older equivalents meaning that new machinery uses less fuel, has lower emissions and is, therefore, kinder to the environment.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 Wirral is facing stark economic, social and health inequalities. The Wirral Plan is committed to addressing this. With Community Wealth Building at its heart, the Wirral Plan sets out how to tackle this and makes a major contribution to improving the economic, social and health outcomes of the borough.
- 11.2 The proposed purchase of Parks machinery supports the Community Wealth Building outcome 'Land and Assets', which seeks to ensure that Council land and assets are used as a base to build community wealth. The procurement of Parks machinery will allow for the continued maintenance of our parks and green spaces, supporting a wide spectrum of community groups and organisations, including Community Sports Clubs and Associations (e.g.: Bowling, Football, Rigby, Cricket, Running) that rely upon Council play pitches and open spaces; Arts, Cultural and Heritage Groups that use parks and green spaces for their events and activities and wider Community Groups where parks and open spaces are used as a location for a wide range of activities relating to social and health promotion activities.

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APPENDICES

Appendix 1: Parks Machinery - Machinery Pricing & Scores

BACKGROUND PAPERS

Capital Programme 2023-28 – report to Policy & Resources (15 February 2023)

Wirral Pollinator Strategy (2022)

Capital Programme 2022-27 – report to Policy & Resources (15 February 2022)

Environment and Climate Emergency Policy Statement (March 2021) – Wirral Council

Capital Programme 2021-26 – report to Policy & Resources (17 February 2021)

Capital Programme and Financing 2020/25 - report to Cabinet (17 February 2020)

Capital Programme and Financing 2019/23 - report to Cabinet (18 February 2019)

Road Verges and their potential for pollinators: A review of costs, benefits, and management options (2019) Buglife

Road, Verge and Wildlife Management Guidelines (2019) - Plantlife

Parks & Countryside Machinery Capital Bid (11 December 2018)

The good verge guide: a different approach to managing our waysides and verges (2016) Plantlife

TERMS OF REFERENCE

This report is being considered by the Environment, Climate Emergency and Transport Committee in accordance with Sections A, B and E of its Terms of Reference;

(a) in co-ordinating the response to cross-cutting sustainability issues such as reducing carbon emissions, air quality issues, climate change response, improving resource efficiency and developing sustainable energy;

(b) in relation to all highways matters and as highway authority, street authority, bridge authority, including but not limited to public open spaces, street furniture on the highway and open spaces or parts of open spaces immediately adjacent to the highway;

(e) in respect of parks, open spaces, countryside management, allotments, playgrounds, and cemeteries, including arboricultural, gardening and warden services.

SUBJECT HISTORY (last 3 years)

| Council Meeting | Date |
|------------------------|--------------------------------|
| COUNCIL | 27 th February 2023 |
| COUNCIL | 28 th February 2022 |
| COUNCIL | 1 st March 2021 |
| COUNCIL | 2 nd March 2020 |

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| COUNCIL | 4 th March 2019 |
| CABINET - | 18 th February 2019 |