

## **AGENDA ITEM NO.**

**REPORT TO:** Executive Board Sub Committee  
**DATE:** 17<sup>th</sup> June 2010  
**REPORTING OFFICER:** Strategic Director Environment and Economy  
**SUBJECT:** 2010/11 Weed Spraying Programme  
**WARD(S):** Borough-wide

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to request that retrospective approval be given to waive standing orders for the commissioning of a borough-wide weed spraying programme for 2010/11.

### **2. RECOMMENDED: That:**

- 2.1 For the purposes of Contract Standing Order 1.6, retrospective approval is given on this occasion to the waiver of Standing Orders 3.1 to 3.7 and Standing Order 3.9, in light of the exceptional circumstances as detailed in paragraph 3.7 of this report.
- 2.2 Retrospective approval be given to award the contract to undertake the 2010/11 Weed Spraying Programme to Assist Managed Services.

### **3. SUPPORTING INFORMATION**

- 3.1 In March 2009, a tendering exercise was carried out to procure weed-spraying services for the adopted highways and hard surfaced footpath network within the borough. Following an evaluation of four tender bids received, the contract for carrying out the works was awarded to Amenity Contract Services.
- 3.2 The contract covered a 12 month period from April 2009, however, the Tender Specification allowed for the contract to be extended to cover a further 12 month period. This extension was at the discretion of the Council.
- 3.3 Following successful completion of the works in 2009/10, and given that Amenity Contract Services had proposed to carry out the works in 2010/11 at the same cost as in 2009/10, the contract to carry out Highway Weed-Spraying Service for 2010/11 was offered to, and accepted by, Amenity Contract Services.

- 3.4 Prior to the commencement of the works however, the Managing Director of Amenity Contract Services Ltd informed the Council that the company had entered into administration. The company was therefore unable to carry out the Highway Weed-Spraying Service for 2010/11.
- 3.5 A meeting was held with the Managing Director of Amenity Contract Services where it was established that he was in negotiations with another company, Assist Managed Services, who were seeking to take over the delivery of services that were to have been undertaken by Amenity Contract Services.
- 3.6 Assist Managed Services confirmed that they could provide the weed-spraying service for the Council using the same working practises and methods that were delivered previously by Amenity Contracting and at the same cost.
- 3.7 It was considered by officers that to carry out a further tendering exercise could have resulted in the following;
  - 3.7.1 Commencement of the works could have been delayed. This would have resulted in an increase in weed growth and therefore a reduction in the overall quality and success of the weed spraying programme;
  - 3.7.2 Amenity Contract Services had orders from a number of north-west local authorities to carry out weed spraying services in 2010/11. As a result of the company entering into administration many other local authorities in the region would have been in the same position as Halton and would have required alternative contractors to carry out the works. This could have resulted in reduced market capacity and led to Halton failing to attract a suitably qualified and experienced contractor;
  - 3.7.3 Even in the event that the Council did attract a suitably qualified contractor through a new tendering exercise, it could have resulted in an increased cost compared to what was available through Assist Managed Services.
- 3.8 For the reasons detailed in paragraphs 3.7.1 – 3.7.3, a further tendering exercise was not undertaken and Assist Managed Services were subsequently awarded the contract to carry out the weed spraying service. It was felt that officers had to act quickly to secure this arrangement and that any other course of action could have jeopardised the Council's ability to deliver a high quality, cost effective weed spraying service. For these reasons, it is recommended that retrospective approval is given on this occasion to;
  - 3.8.1 The waiver of Standing Orders 3.1 to 3.7 and 3.9, and
  - 3.8.2 Award the contract to undertake the 2010/11 Weed Spraying Programme to Assist Managed Services

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The weed-spraying programme will be delivered from existing budgets and therefore there are no additional financial implications arising from this report. However, as stated in paragraph 8.1, additional costs may have been incurred if the work had not been awarded to Assist Managed Services.

#### **5. POLICY IMPLICATIONS**

- 5.1 There are no policy implications arising from this report.

#### **6. OTHER IMPLICATIONS**

- 6.1 There are no other implications arising from this report.

#### **7. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **7.1 Children and Young People in Halton**

No direct impact

##### **7.2 Employment, Learning and Skills in Halton**

No direct impact

##### **7.3 A Healthy Halton**

No direct impact

##### **7.4 A Safer Halton**

No direct impact

##### **7.5 Halton's Urban Renewal**

This scheme will maintain weed control on the Council's adopted highways and hard surfaced footpath network and contribute towards making the borough a more attractive location for investment.

#### **8. RISK ANALYSIS**

- 8.1 There was a significant risk that the Council may have failed to deliver an effective weed spraying programme, or may have incurred additional costs, if it had failed to secure the contractual arrangements with Assist Managed Services as detailed within the report.

#### **9.0 EQUALITY AND DIVERSITY ISSUES**

- 9.1 There are no equality and diversity issues arising from this report

**10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

There are no background papers within the meaning of the Act.