

**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by the Environment and Community Services  
Policy Development and Scrutiny Committee on Thursday 29 June 2023

5<sup>th</sup> July 2023

**Decision Type:** Non-Urgent Executive Key

**Title:** DELIVERY OF ARBORICULTURE SERVICES (PART 1)

**Contact Officer:** Hannah Jackson, Assistant Director Environment (Carbon Management &  
Greenspace)

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**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

1.1 This report is accompanied by a Part 2 report of the same title. For the reasons set out in that report, this report recommends that additional suppliers are procured to supplement the current arrangements for the delivery of the Council's arboricultural service

1.3 This report also recommends that additional funding is drawn down from the Healthy Bromley earmarked reserve to finish delivery of the Treemendous tree planting project.

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2. RECOMMENDATION(S)

2.1 The Environment & Community Services PDS are asked to review the report and provide their comments to the Executive for consideration.

The Executive are asked to:

2.2 Agree to the procurement of additional suppliers to supplement the current arrangements for the delivery of arboricultural services, subject to the specific recommendations in Part 2.

**2.3 Approve draw down of an additional £566k from the Healthy Bromley earmarked reserve to enable the delivery of the Tremendous project.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The health benefits provided by trees are particularly important for adults and young children suffering from mental illness or respiratory disease.
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### Transformation Policy

1. Policy Status: Existing Policy: Tree Management Strategy
2. Making Bromley Even Better Priority:

(4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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### Financial

1. Cost of proposal: The additional cost to complete the Treemendous tree planting programme is £566k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £N/A
  5. Source of funding: Healthy Bromley Earmarked Reserve
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### Personnel

1. Number of staff (*current and additional*): N/A
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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### Procurement

1. Summary of Procurement Implications: The actions proposed in this report are compliant with Council's CPRs and PCR 2015
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### Property

1. Summary of Property Implications: N/A
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### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: The Treemendous project will increase carbon sequestration rates.
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### Impact on the Local Economy

1. Summary of Local Economy Implications: The economic benefits of trees are set out in the Tree Management Strategy 2023-2027.
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### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Trees provide many benefits to health and wellbeing, with this being the primary reason for the Treemendous project being to improve the health of residents.
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#### Customer Impact

1. Estimated number of users or customers (*current and projected*): N/A
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#### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

- 3.1 On 20<sup>th</sup> November 2018, the Executive awarded a contract for arboricultural services to Glendale Ltd from 1<sup>st</sup> April 2019 for a period of 8 years, with the option to extend for 4+4 years (**ES18077**). The purpose of the contract was to provide services to maintain the Council's tree stock, with works identified and instructed by the Council's tree officers through a triennial programme of inspections and in accordance with the adopted Tree Management Strategy. Jobs are also raised through the emergency call out process.
- 3.2 For the reasons set out in the Part 2 report, officers recommend that additional suppliers are procured to supplement the arrangements provided through the contract with Glendale Ltd. It is recommended that this is achieved through:
- i. using a Neutral Vendor Framework to procure suppliers to deliver four packages of planned works on a fixed price basis, as further detailed in the Part 2 report.
  - ii. procuring an additional four suppliers to supplement the arrangements with Glendale Ltd on a regular and ongoing basis in accordance with the strategy that is detailed further in the Part 2 report.
- 3.3 This action is recommended as necessary to ensure that all works identified through the inspection programme and call out process are completed in a reasonable timeframe as part of the service's risk management approach.

#### Treemendous Tree Planting Programme

- 3.4 On 15<sup>th</sup> July 2021, the Executive agreed to allocate funds of £1.35m from the Healthy Bromley Earmarked Reserve to deliver a four-year programme of planting new street trees and providing tree aftercare. The project would plant 5000 additional street trees to improve the health of residents (**CSD21085**).
- 3.5 On 17<sup>th</sup> November 2021, the Environment & Community Services PDS reviewed the proposed programme of work which included setting out a three-year maintenance programme for newly planted trees, with the project being delivered between 2021 and 2027. It was noted that the risk around costs of future maintenance would be minimised by choosing resilient species for planting and locating these in lower risk locations (**ES20130**).
- 3.6 Authority was given to proceed to procurement for a service provider to undertake planting and maintenance requirements separately to the contract for arboricultural services held by Glendale Ltd who declined this additional work. The first year of planting and maintenance was undertaken by Lloyds Trees Services, and a tender exercise was undertaken in 2022 to appoint a contractor for the remaining term of the programme.
- 3.7 The tender for the provision of planting and aftercare services has been completed, with tender priced much higher than anticipated. The cost to deliver the project planting a total of 5000 trees in accordance with the rates of the winning bidder is £1.92m, leaving a budget gap of £566k from the original approved budget.
- 3.8 Initially, the Council allowed for a structured three-year aftercare programme. However, considering tendered prices officers are recommending that this aftercare programme is reduced to one year which is an acceptable baseline of maintenance within the industry. To mitigate any climate based risk, officers will increase engagement with the community to encourage additional sign up to the Tree Friends to increase community led tree watering. This change to the aftercare programme is reflected in the budget gap identified at paragraph 3.7.

- 3.9 The increase in price over and above the original budget is likely to be due to market factors including inflation, the rising cost of materials and energy, and shortages of trained and accredited arboricultural staff reported in the industry. The tender exercise was competitive; therefore, it is unlikely that re-tendering would result in lower rates.
- 3.10 Officers are recommending that an additional £566k is drawn down from the Healthy Bromley earmarked reserve to meet the commitment to plant 5000 additional street trees to benefit the health of those who live, work, or visit the borough.
- 3.12 If the budget increase is not approved, no further project planting will be undertaken with a total of 2,500 additional street trees planted. The Council will continue to plant replacement trees for those felled in accordance with policy 4 of the Tree Management Strategy 2023-2027.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 There are several health benefits associated with trees as referred to in section 13, and which are of particular importance to those adults and young people suffering with poor mental health and respiratory illness. Research indicates that spending time around trees reduces depression and anxiety, especially when combined with exercise.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The arboricultural services contracted by the Council support the delivery of the ambitions within the Corporate Strategy: Making Bromley Even Better, with the most direct impact on ambition 4 - for residents to live responsibly and prosper in a safe, clean, and green environment great for today and sustainable for the future. These services also deliver works in accordance with the Tree Management Strategy 2023 – 2027.
- 5.2 The Treemendous tree planting programme also delivers against these strategies, and additionally delivers against commitments in the Air Quality Action Plan, Bromley Net Zero Carbon Action Plan, and the Bromley Biodiversity Action Plan.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 The financial implications associated with the course of action summarised at paragraph 3.2 are set out in the accompanying Part 2 report.
- 6.2 This report recommends that an additional £566k is drawn down from the Healthy Bromley earmarked reserve to enable the planting of all 5000 trees under the Treemendous tree planting programme. This is in addition to the £1.35m already allocated from the reserve (**CSD21085**).
- 6.3 Drawing down additional funding from this reserve will mean that there is less funding available in the reserve for other health related initiatives and may reduce the income received from the interest on sums in reserves.
- 6.4 Any future maintenance costs associated with the additional street trees will need to be met from the existing revenue budget, with risks being mitigated through species selection and planting locations.

#### **7. LEGAL IMPLICATIONS**

- 7.1 This report requests members agree to the procurement of additional suppliers to supplement the current arrangements for the delivery of arboricultural services, as detailed in Part 2 and to approve the drawdown of an additional £566k from the Healthy Bromley earmarked reserve to enable the delivery of the Treemendous project

- 7.2 The Council is responsible for and therefore has a duty of care under the law for all trees growing on its land including street trees, trees on public open spaces and in woodlands. This duty arises from a number of circumstances including obligations created under the Occupiers Liability Acts 1957/1984 and the Highways Acts 1980. To discharge this duty the council must manage the trees to a safe standard. By procuring these services under the proposed contracts, the Council will be fulfilling its duty to do all that is reasonably practical to minimise the risk of people being harmed or property being damaged because of an incident associated with trees on Council property.
- 7.3 Under the Public Contract Regulations 2015 (Regulations), the procurement of these services is a public services contract. As the value exceeds the relevant threshold under the Regulations the Council is required to carry out a fully compliant Procurement exercise. The Regulations would however accept compliance where the Council were to call-off from a compliant framework. Officers have identified a neutral vendor Framework Agreement to call off suppliers in order to service the backlog of jobs. The other services will be procured in accordance with the Regulations and the Council's Contract Procedure Rules, as described elsewhere in this report.

## **8. PROCUREMENT IMPLICATIONS**

- 8.1 The actions outlined in this report and the accompanying Part 2 report are compliant with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

## **9. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 9.1 In relation to the Treemendous tree planting programme, planting additional street trees will support further carbon sequestration in the borough and improve green infrastructure which has associated health benefits – these were set out in the original business case (**CSD21085**).
- 9.2 The full carbon reduction/social value implications of the proposal to procure additional suppliers are set out in the accompanying Part 2 report, however it is worth noting that the proposed procurement strategy will encourage tenders from SMEs.

## **10. IMPACT ON THE LOCAL ECONOMY**

- 10.1 The economic benefits that well managed trees provide are set out in the Council's Tree Management Strategy.
- 10.2 The procurement strategy referred to in paragraph 3.2(ii) will encourage tenders from local businesses, with this further set out in the Part 2 report.

## **11. IMPACT ON HEALTH AND WELLBEING**

- 11.1 The primary aim of the Treemendous tree planting programme was to improve the health of residents recognising that trees have demonstrable benefits for physical and mental health, including reductions in disease.
- 11.2 Maintenance decisions in relation to the council's tree stock are taken to comply with the policies set out in the Tree Management Strategy. These policies are set in the context of the benefits that trees provide to residents' health and wellbeing and prioritise public safety.

<b>Non-Applicable Headings:</b>	Personnel Implications, Property Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	<b>ES18077</b> Award of Contract for Arboricultural Services <a href="#">Tree Management Strategy 2023 - 2027</a> <b>CSD21085</b> Arboriculture – Programme of Tree Establishment <b>ES20130</b> Arboriculture – Programme of Tree Establishment Update