

**Communities, Housing and  
Environment Policy Advisory  
Committee**

**14 February 2023**

**Arboriculture Services – Contract Award**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Communities, Housing and Environment PAC	14 February 2023
Lead Member on the Executive for Environmental Services	23 February 2023

<b>Will this be a Key Decision?</b>	Yes
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Cllr Martin Round, Lead Member for Environmental Services
<b>Lead Head of Service</b>	Jennifer Stevens, Head of Environment and Public Realm
<b>Lead Officer and Report Author</b>	Andrew Williams, Parks & Open Spaces Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

This report sets out the Borough's need for specialist arboriculture services and the process undertaken to procure a new contract for a period of 3 years. It is recommended that the contract is awarded to Qualitree Service Limited based on the quality and price of their submission.

The information is presented to the Communities, Housing and Environment Policy Advisory Committee for consideration prior to decision on award being made by the Lead Member for Environmental Services.

**Purpose of Report**

Decision

**This report asks the Policy Advisory Committee to recommend to the Lead Member for Environmental Services:**

1. That the Arboricultural Services Contract is awarded to Qualitree Services Limited for the contract period of 3 years with options to extend the contract for years 4 and 5.

# Arboriculture Services – Contract Award

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>This contract award supports the effective delivery of the strategic objective for a safe, clean and green borough. Active maintenance of our extensive tree stock ensures retention of trees, protects public safety and minimises exposure to corporate risk.</p>	Head of Environment and Public Realm
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendation supports the achievement of respecting Biodiversity and Environmental Sustainability and Heritage cross cutting objectives by ensuring ecological best practices provide environmental gains are embedded within the contractors working methods and audited performance; competencies in protected species habitat protection &amp; creation, veteran tree retention and planting new tree stock have all been required in this contract.</p>	Head of Environment and Public Realm
<b>Risk Management</b>	<p>Active maintenance of our extensive tree stock ensures retention of trees, protects public safety and minimises exposure to corporate risk.</p>	Head of Environment and Public Realm

<b>Financial</b>	<ul style="list-style-type: none"> <li>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</li> </ul>	Section 151 Officer & Finance Team
<b>Staffing</b>	<ul style="list-style-type: none"> <li>We will deliver the recommendations with our current staffing.</li> </ul>	Head of Environment and Public Realm
<b>Legal</b>	<ul style="list-style-type: none"> <li>Acting on the recommendations is within the Council's powers as set out in local authority legislation (including the general power of competence under the Localism Act 2011) and the Council's Constitution.</li> </ul>	Legal Team
<b>Information Governance</b>	<ul style="list-style-type: none"> <li>The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.</li> </ul>	Information Governance Team
<b>Equalities</b>	<ul style="list-style-type: none"> <li>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</li> </ul>	Equalities & Communities Officer
<b>Public Health</b>	<ul style="list-style-type: none"> <li>We recognise that the recommendations will not negatively impact on population health or that of individuals.</li> </ul>	Head of Environment and Public Realm
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>No implications identified</li> </ul>	Head of Environment and Public Realm
<b>Procurement</b>	<ul style="list-style-type: none"> <li>The Council is following procurement processes and will complete in line with financial procedure rules.</li> </ul>	Head of Environment and Public Realm
<b>Biodiversity and Climate Change</b>	<p>The implications of this report on biodiversity and climate change have been considered and are;</p> <ul style="list-style-type: none"> <li>This aligns with action 6.11 &amp; 6.12 of the Biodiversity and Climate Change Action Plan to maximise biodiversity and maintain trees .</li> </ul>	Biodiversity and Climate Change Manager

## **2 INTRODUCTION AND BACKGROUND**

- 2.1 Maidstone Borough Council manages an extensive estate of land and associated tree stock. The land is primarily public open space of parks, communal areas amongst housing and other locations of borough assets. There is a duty of care to maintain our trees in a safe condition and a biodiversity duty to ensure they are a healthy biodiverse habitat and environmental asset. We undertake a combination of planned and reactive work to our trees, all with the primary purpose of preserving tree health, public safety and environmental benefit. Specialised arboriculture works include aerial pruning, crown reduction and lifts, felling and processing damaged and fallen trees and new planting. Additionally work on veteran trees and compliance with protected species legislation especially bats, requires a higher level of skill and competency. The current arrangement of a framework of several contractors has expired and lessons learned have helped shape this new specification.
- 2.2 The contract tender and selection process sought an appropriately qualified contractor to demonstrate their competencies and experience and submit a schedule of prices for an array of arboriculture works that we need undertaken. There is an anticipated annual spend of £80,000 for such works therefore we anticipate a total contract sum circa £400,000 over 5 years .
- 2.3 The opportunity to tender for this work was published on the Kent Business Portal in late October with twenty-nine companies expressing interest in the opportunity and five submissions were received by the December deadline. The initial review and sift for compliance reduced this to three qualifying tenders. These were evaluated by the team for quality and audited by the procurement office. All cost submissions were analysed by our procurement team separately to the analysis of the quality aspects. Outcome of the tender evaluation and scores is shown in Appendix 1.
- 2.4 The third opportunity for evaluation of the contractor submission was through a scored interview process. On this occasion only the highest scoring contractor, after considering quality and price, was invited as the next highest scoring provider could not win with the points available at interview.
- 2.5 The quality of service judged in this process included competency, skills best practise, equipment, management systems and supervision, environmental skills and competences and training. Furthermore, compliance with these objectives is also demonstrated, with all qualifying contractors required to be Accredited Arboricultural Association Approved Contractors (Arb C). Importantly a speedy 1-hour call-out response time for emergencies is essential for our service.
- 2.6 The tender process determined that Qualitree Services Limited is best placed to provide professional service, meeting our needs at competitive rates. The company is based in Maidstone with a local workforce.
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### **3. AVAILABLE OPTIONS**

- 3.1 The Council could award the contract to Qualitree Services Limited for a period of three years plus the option to extend the contract for years 4 and 5.
  - 3.2 Alternatively, we could further explore options to provide the service in house; however, this is not recommended as previous experience has shown that it is difficult to retain such highly qualified staff within the public sector and generally once trained the staff will seek to set up their own company or work in the private sector. In addition, the quantity of work would not constitute a full time team and therefore they would need to be deployed on other, lower skilled work which is unlikely to be an attractive option for trained employees. Significant investment would also be needed to purchase or hire the specialist equipment to undertake the variety of arboriculture work.
  - 3.3 Finally, the Council could continue without a formal contract arrangement with priced works from local suppliers or existing provider as and when required; this would not be compliant with local authority procurement best practise, nor would it secure the level of service required. There would also be a risk that in the event of emergency work being required a contractor could not be secured quickly or for a reasonable cost. Furthermore, it would not provide optimum business conditions for a local provider to invest in staff, assets and business operations, nor guarantee prices for works.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is to appoint Qualitree Services Limited as the Council's provider of arboriculture services working to a schedule of rates for tree works.
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### **5. RISK**

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy if the recommendation to appoint the preferred bidder is accepted. Failure to appoint increases the risk of not having a suitably qualified contractor willing and able to respond to emergencies and reactive work on our tree stock
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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Communities, Housing and Environment Committee Policy Advisory Committee prior to the decision made by the relevant Lead Member.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If the recommendation is supported, the procurement process will be completed and contract with Qualitree Service Ltd will be entered into for the contract period
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## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

Appendix 1: Procurement Scoring Matrix

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