

Operational Decision Record

Publication Date 14 February 2024	Decision Reference Number 5087
Decision Title	
Procurement of an external contract to deliver a weed spraying programme for two years, with an option to extend for a further two years.	
Decision Value	
Up to £299,999 – approx £55-65,000 annually on a 2-year contract with option to extend for a further 2 years.	
Revenue or Capital Spend?	
Revenue	
Department	
Communities, Environment and Resident Services	
Contact Officer (Name, job title, and contact details)	
Bushra Hussain, Service Manager, Bushra.Hussain@Nottinghamcity.gov.uk Eddie Curry, Head of Service, Eddie.Curry@Nottinghamcity.gov.uk	
Decision Taken	
<ol style="list-style-type: none"> 1. To note the decision of the S151 to approve spend of up £299,999 to tender, procure, and award an external contract for a City-wide weed spraying programme for adopted highways for two years, with an option to extend for a further two years (Spend Control ID: 4266). 2. To authorise the Director of Resident Services to carry out the required procurement exercise and enter into contracts related to the delivery of the weed spraying programme. 	
Reasons for Decision and Background Information	
<p>Weed control is seasonal operational task, and to deliver this internally would mean reducing or stopping tasks such as grass cutting and litter picking parks and open spaces due to resource pressures. Alternatively, the Council would need to recruit additional staff to support with seasonal demands on the service, which may be more costly and difficult to forecast financially.</p> <p>Weed control is important to ensure that:</p> <ul style="list-style-type: none"> • the appearance of the city looks well maintained; 	

- weeds are prevented from growing in the gullies, as this cause surface water not to drain away properly, with the potential of flooding properties and causing traffic problems;
- if weeds are left this can also impact the adopted highways infrastructure as roots will damage tarmac, ultimately costing more to repair.

Other Options Considered and why these were rejected

- 1) Not to spray – this option was rejected, as from operational experience not spraying creates issues listed above.
- 2) Carrying out the works via overtime - this would be an operational challenge as the teams will be expected to complete long shifts for up to 6 weeks 3 times a year, dependent on the weather. They would be paid in accordance with pay policy where first five hours are flat rate per week before any enhancements are added. This usually puts front line colleagues off from committing to over time and will risk spraying not being completed due to resource constraints.

Reasons why this decision is classified as operational

- have a value below £300,000
- are taken within agreed policies and within the overall agreed budget controlled by the officer taking the decision

Additional Information

Finance Comments

There is budget that was previously being spent against the old weed spraying contract which has now ended. This budget could now be spent against the new weed spraying contract, depending on value of the contract. However, all decisions would need to go through the spend advisory board to comply with S114 process.

Sohaib Chaudhry

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Senior Commercial Business Partner

04.01.2024

Procurement Comments

The above request to undertake a competitive process for the provision of a weed spraying service complies with the Contract Procedure Rules and best value.

The anticipated value of the contract means that a full tender process will need to be undertaken, or a compliant third-party framework (such as ESPO) is utilised.

Procurement will support in ensuring this contract offers best value and complies with Contract Procedure Rules and best value.

Advice provided by Holly Fisher (Lead Procurement Officer, Products), 04 January 2024

Insurance & Risk Comments

The Council has a legal obligation to ensure that visitors using Council owned and maintained land are reasonably safe when using these areas. If weedkilling is not undertaken in these areas, it is highly likely that the Council will receive an increase in claims for damage to property from surface water that is unable to drain adequately due to drains and gullies being blocked by weeds and foliage. Clumps of weeds forming on the highway can create a trip hazard which could lead to an increase in personal injury claims pursued against the Council for tripping incidents. This is likely to lead to an increase in claims costs and reputational risks. A proactive system of weed control will elevate the risk and ensure that any claims received can be robustly defended.

Jackie Handley
Insurance & Risk Manager
05 January 2024

Decision Maker (Name and Job Title)

Mary Lester, Director for Resident Services

Scheme of Delegation Reference Number

7 – Sub-delegation of all Operational Resident Services decisions to Director for Resident Services from Corporate Director for Communities, Environment and Resident Services on 28/07/23.

Date Decision Taken

05 February 2024