

<b>Meeting of:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>16 JANUARY 2024</b>
<b>Report Title:</b>	<b>URBAN AND RURAL GRASS CUTTING</b>
<b>Report Owner / Corporate Director:</b>	<b>CORPORATE DIRECTOR - COMMUNITIES</b>
<b>Responsible Officer:</b>	<b>KEVIN MULCAHY GROUP MANAGER - HIGHWAYS AND GREEN SPACES</b>
<b>Policy Framework and Procedure Rules:</b>	<b>There is no effect upon the Council's policy framework or procedure rules as a result of this report</b>
<b>Executive Summary:</b>	<b>The report outlines a proposal to return urban and rural grass cutting to an in-house provision. In 2015 a decision had been made, linked with a Medium Term Financial Strategy (MTFS) saving, to outsource the provision of the service. Against the backdrop of ongoing budgetary pressures within the authority, bringing the service in-house seeks to provide greater flexibility in maintaining a service provision within the existing budget.</b>

## **1. Purpose of Report**

The purpose of this report is to seek approval to reintroduce the in-house delivery of urban and rural grass cutting.

## **2. Background**

- 2.1 In February 2015 Cabinet approved the appointment of contractors to provide an urban and rural grass cutting service through a tendered contract, rather than the existing in-house provision, which provided a net saving of £132k of MTFS savings for the Authority.
- 2.2 In 2019 a proposal to reduce urban grass cutting from 7 times to 5 times per year was consulted upon and agreed by Cabinet, with a further decision made to delegate authority to the Cabinet Member - Communities for the approval of identified areas where grass cutting could be discontinued. Since that date urban and rural grass cutting has been undertaken through tendered contracts at the revised reduced frequency, with the current contract expiring on 31 March 2024.

## **3. Current situation / proposal**

- 3.1 A proposal has been made to return urban and rural grass cutting to an in-house provision after the current contract expires. A preference for an in-house service has been expressed by the Cabinet Member for Communities in consideration of

better control of the overall delivered service when considered in the context of other grass cutting operations that already occur in-house.

- 3.2 Ongoing financial pressures on the authority and a continuing need to identify budget reductions, to ensure a balanced budget, requires that we must reconsider how services are delivered. It is anticipated that the cost to maintain the current service level from an external provider would increase due to inflationary pressures being seen within the economy and would exceed the currently available budget. Whilst we also have inflationary pressures (pay/prices) internally, returning the service in-house can provide greater flexibility to react to budget challenges, and our ability to manage changes to service levels that reflect available resources and the ability to modify our delivery model or service levels in a more responsive way going forward, to ensure provision is retained within budget.
- 3.3 However, in trying to achieve the foregoing it is recognised that the green spaces service will need an element of restructuring to enable the planning and delivery of an in-house service. Work is already ongoing to assess the full implications in terms of staffing, equipment and potential changes to operational practice that would offer a greater degree of flexibility in service provision. Appropriate consultation will take place with TU's once structures are clear, but there is no expected detriment or loss of employment for BCBC staff from this proposal.
- 3.4 The cutting of open space is to all intents and purposes driven by aesthetic considerations. In extreme circumstances i.e. little or no cutting taking place, health and safety concerns may arise i.e. fire risk in dry summers. The cutting of grass alongside highways - high speed roads, is driven more by safety considerations - maintaining sight lines, vision splays etc., with aesthetics being a secondary consideration. There is no stipulation in highway legislation of minimum maintenance levels. The obligation is simply to implement a regime of maintenance. The level of maintenance adopted is, in principle, a decision for the Council but the level of maintenance must demonstrate that the authority has taken such care as in all the circumstances was reasonably required to secure that the highway is safe for ordinary use and not dangerous for traffic. There are also non-statutory codes of practice available which set out best practice guidance on management of the highway and on 14<sup>th</sup> March 2023 Cabinet approved a revised safety inspection regime based on the recommendations of the UK Roads Liaison Group update of its code of practice, and an all Wales review and standardisation by County Surveyors' Society Wales (CSSW) to align with an all Wales approach to highway maintenance.
- 3.5 The purpose for bringing the report before Cabinet at this time is due to the tight timescales required to commence a service by Spring/Summer 2024, by which time it will be necessary to consider, resolve and implement a range of issues such as any implications of TUPE legislation, procurement of plant and equipment, revised management structure and job evaluation consultation, recruitment and training of staff, risk assessments and scheduling of works. It should be noted that the current contract is unable to be extended beyond the end date of 31<sup>st</sup> March 2024, hence the preparatory work already being undertaken to meet the expressed preference of an in-house provision.

#### **4. Equality implications (including Socio-economic Duty and Welsh Language)**

4.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

## **5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives**

5.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is outlined below in respect of the proposal:

- **Long-Term:** The provision of an in-house grass cutting provision enables flexibility in service provision and planning for the longer term
- **Prevention:** In-house provision means that the level of service can be more flexibly adjusted which provides better control of delivered service
- **Integration:** Improving control of the overall grass cutting provision will benefit communities in the effective management of green spaces.
- **Collaboration:** In-house provision of rural and urban grass cutting will take into account working with internal partners such as highways in delivery of the service and prioritisation of provision as required.
- **Involvement:** In terms of the project, internal stakeholders will be part of the process of assessing the management of rural and urban grass cutting and the outcomes being sought.

## **6. Climate Change Implications**

6.1 There are no direct implications on climate change in relation to the proposal.

## **7. Safeguarding and Corporate Parent Implications**

7.1 There are no direct safeguarding and corporate parenting implications as a result of the content provided within this report.

## **8. Financial Implications**

8.1 The cost for reintroduction of the service provision is to be delivered from existing budgets. The staffing structure and equipment is currently being provided by an external provider, the cost of which is being met by the Authority through the contract value, so it is envisaged that sufficient funding is available within the existing budget to establish an in-house service and procure the requisite plant and equipment to facilitate the work activities. Any potential increases in costs will have to be managed through a review of the level of service provision to remain within allocated budgets.

## **9. Recommendations**

9.1 It is recommended that Cabinet:

- Approve the return of the urban and grass cutting service to an in-house provision.
- Delegate authority to the Cabinet Member - Climate Change and Environment to agree changes to the level of service provision to meet the available budget.

**Background documents:** None