

Footpath Weed spraying Contract Extension (DN516349)

Date: 1st March 2024

Report of: Business Manager, Climate, Energy & Green Spaces

Report to: Chief Officer, Climate, Energy & Green Spaces

Will the decision be open for call in? ☐ Yes ☒ No

Does the report contain confidential or exempt information? ☐ Yes ☒ No

Brief summary

Weed control of highway footpaths and communal paved areas vested with Housing Leeds has been delivered via successive external contracts since 2002.

The current City-wide weed control contract expires on 31st March 2024. Leeds City Council has the option to extend the current contract for up to 24 months until 31st March 2026.

On the basis of offering the full 24 month extension, the contractor has agreed to accept a below inflation increase for 2024 and limit the 2025 increase to RPI as at December 31st 2024

Contract performance has been very good and there has been a consistent reduction in the number of related enquiries/complaints over the contract period

Recommendations

That the Chief Officer, Climate, Energy & Green Spaces takes the delegated decision to instruct Procurement to extend the existing contract with LanGuard Ltd for a period of 24 months with effect from 1st April 2024

What is this report about?

- 1 The purpose of this report is to seek agreement to proceed with the optional extension of the Highways/Housing footpath weedspraying contract managed by officers from Climate, Energy & Green Spaces with effect from 1st April 2024.

The original tender made provision for extension of the contract term for a period of up to 2 years, subject to satisfactory performance from the contractor. Those conditions have been met or exceeded during the initial contract period and the contractor has proved to be professional, reliable, responsive and delivered the service to a high standard.

Full background to the original tender can be found attached to the following published decisions:

D52519 - Tender for a City Wide Footway Weed Control Contract
(<https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=52519>) and

D52848 - City Wide Footway Weed Control Contract, Provision From 1st April 2021
(<https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=52848>)

What impact will this proposal have?

- 2 The proposal supports the aims and aspirations of:

Safer and Stronger Communities Plan
Vision for Leeds
Best Council Plan

The use of herbicide based footpath weed control as part of an integrated approach alongside routine street cleansing reduces the impact of weed related degradation to surfaces, extending the expected lifespan and therefore reducing overall highway management and potential litigation costs attributed to uncontrolled weeds

How does this proposal impact the three pillars of the Best City Ambition?

☒ Health and Wellbeing ☐ Inclusive Growth ☒ Zero Carbon

- 3 Controlling weeds in the street environment helps provide safe connected spaces and reduces trip hazards (weed growth or surface imperfections resulting from it) and visibility hazards, which are particularly important in areas where schemes such as play streets take place

Research has shown that an integrated weed management approach including glyphosate based herbicides provides both best outcomes (ie, reduced weed prevalence, lowest overall cost) and the lowest fossil fuel use compared to other methods.

What consultation and engagement has taken place?

Wards affected: All

Have ward members been consulted?

☐ Yes

☒ No

- 4 Consultation took place with relevant Executive Members, Chief Officers/Heads of Service as part of the original tender and the specification updated where required reflecting feedback received. Chief Officers/Heads of Service were further consulted regarding the option to extend and it was agreed that an extension of existing arrangements is the preferred option.

What are the resource implications?

- 5 The work is delivered through existing revenue budgets and suitable financial provision has been confirmed with relevant Chief Officers/Heads of Service. The anticipated order value for 2024 is £295,500. 2025 order values will be uplifted in line with the RPI rate as at December 2024.

What are the key risks and how are they being managed?

- 6 In the event that the recommendation to extend this contract is not accepted, the council is likely to see significant levels of weed growth on hard surfaces across the city that it is unable to address through current programmed cleansing activities. This could result in significant reputational damage to the council. The alternative to manage this risk would be to bring in additional street cleansing resources, which is an option ruled out as too expensive and with a higher carbon footprint compared to extending the existing arrangements which include herbicide use.

What are the legal implications?

- 7 This is significant operational decision taken by an officer, as the option to extend is a decision which is a direct consequence of implementing a previous key decision (D52519) and subsequent significant operational decision (D52848)

The original procurement was undertaken under EU rules and the original contract award decision, including subsequent optional extensions pursuant with that contract is compliant with those rules.

Options, timescales and measuring success

What other options were considered?

- 8 A full options appraisal was undertaken at the time of the initial procurement. This has been reviewed with no change to the outcome.

Alternatives considered are outlined in the table below

No	Title of Option	Assessment and Reason for Selection / Rejection
1	Do Nothing	Rejected: Negative impact on Council reputation. Unquantifiable cost for repair to footpaths as direct result of weed related damage and from 3 rd party compensation claims for slips, trips and falls.
2	Hot Water/Steam	Rejected: High cost, short term effectiveness, possible health & safety issues (DEFRA led project in Thanet identified a spontaneous fire from natural oils in bushes combusting during path treatment)
3	Gas Burners	Rejected: High cost, short term effectiveness, possible health & safety issues
4	Hot Foam (based on sugar production byproducts)	Rejected: High cost, short term effectiveness. Requires large machinery which would not access many residential areas. Foam leaves a visible residue which could be walked into homes if exclusion zone not in place after treatment
5	Scrub Brushing	Rejected: High cost, labour intensive and risks of infrastructure damage
6	Manual Removal	Rejected: Labour intensive, costs expected to be highest when factoring in transport, traffic management and waste disposal, and risks of infrastructure damage
7	Herbicide Treatment	Selected: Lowest annual value, highest efficacy

Research undertaken by Cardiff City Council published in January 2023, where some of the above alternatives were trialled, further supports the continued use of an integrated approach including the use of glyphosate at suitable locations. Full detail of the outcomes of that trial can be found on their website: <https://cardiff.moderngov.co.uk/ieDecisionDetails.aspx?AllId=30577&LLL=0>

How will success be measured?

- 9 Effective control of street weeds city wide. Reduced levels of weed related complaints and public liability claims

What is the timetable and who will be responsible for implementation?

- 10 The effective decision date is expected to be 1st April 2024. The decision maker is the Chief Officer, Climate, Energy & Green Spaces. The extension award will be processed by the Procurement team under instruction from the Business Manager, Climate, Energy & Green Spaces in the capacity of Contract Manager

Appendices

- EDCI screening document
- Climate Emergency Impact Assessment

Background docs

[Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk/council-and-democracy)

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