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Report of Transport and Engineering Manager

Report to Chief Officer Parks and Countryside

Date: 10th January 2020

Subject: Waiver of Contract Procedure Rules 8.1 and 8.2 Intermediate Value for the Procurement of a Remote Controlled Pedestrian Valla Crane

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|---|---|
| Are specific electoral wards affected? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If yes, name(s) of ward(s): | |
| Has consultation been carried out? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Will the decision be open for call-in? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If relevant, access to information procedure rule number: | |
| Appendix number: | |

Summary

1. Main issues

- The purpose of this report is to request the Chief Officer of Parks & Countryside to note the contents of this report and to approve the waiver contracts procedure rule 8.1 & 8.2 – Intermediate Value Procurements to enter into a contract with the Hird Group for the procurement of a Basic Manitex Valla 20D TRX – 2,000kg SWL Crane.
- This report would allow the use of the exclusive supplier in relation to the provision of a bespoke machine used for the purpose of testing memorial headstones and the removal and installation of memorial headstones in cemeteries. This will allow the service to continue to operate a specialist machine without the need for a formal tender exercise.
- The Valla crane is the only one of its kind which can safely test the stability of gravestones whilst being operated by remote control and the Hird Group are the only supplier in the UK who can supply this specialist machine.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- This report draws attention to co-ordinated working that demonstrates a contribution towards the following priorities contained in the City Priority Plan:
 - Best city for communities:
 - Best city to live:

- Best Council Plan 2015 to 2020
- Vision for Leeds 2011 – 2030
- Cemeteries are regarded not only as areas that have an operational use in terms of burials, they also serve as valuable quality green spaces and places for quiet reflection for both visitors and the bereaved.

3. Resource Implications

- The procurement of this specialist machine represents value for money in respect of savings against the cost of hiring this equipment and is within the current EU threshold. This is the only remote controlled pedestrian crane that will carry out this important H&S work.
- The procurement costs of this machinery will come direct from the capital budget for 2019/20.

Recommendations

- a) The Chief Officer Parks & Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 8.1 and 8.2 – Intermediate Value Procurement – to enter into a contract for the procurement of a valla 20D TRX remote controlled pedestrian crane from the Hird Group.

1. Purpose of this report

- 1.1 The purpose of this report is to request the Chief Officer of Parks & Countryside to note the contents of this report and to approve the waiver contracts procedure rule 8.1 & 8.2 – Intermediate Value Procurements to enter into a contract with the Hird Group for the procurement of a Valla 20D TRX remote controlled pedestrian crane from The Hird Group.

2. Background information

- 2.1 The Parks and Countryside Memorial Stone Masons have operated a Valla crane for several years on a hire contract and this has proven to be the safest way of managing leaning memorial headstones.
- 2.2 There is no internal provider who can supply this specialist equipment and there is only one supplier in the UK who is able to supply this type of pedestrian remote controlled crane.
- 2.3 The crane is currently on a long term hire and there is now a need for the service to procure its own machine. This will save hire costs in the longer term.

3. Main issues

- 3.1 The Workshop team in consultation with the Bereavement service team has investigated alternative machinery, but no other manufacturer produces a similar suitable pedestrian remote controlled machine. The Hird Group are the only dealer within the UK who can supply a remote controlled pedestrian crane which is suitable for accessing the cemeteries.

- 3.2 The memorial Stone Masons are also having to take on more work to include the inspection of memorials within closed churchyards and it will be important that this crane is available for them to use.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The Memorial Stone Masons and Bereavement Service teams have also been consulted to ensure the right specification and bespoke machine for this specialist work is fit for purpose.
- 4.1.2 There is no requirement for a wider consultation and engagement with regard to this waiver to procure this specialist bespoke crane.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 Due regard has been given throughout the decision making process and a screening document has been prepared and an independent impact assessment is not required for the approvals requested. The screening document has been sent to the equality team to be approved and published.
- 4.2.2 The outcome of this process does not affect any of the protected characteristics and will have no effect on equality and diversity, cohesion or integration of our customers.

4.3 Council policies and the Best Council Plan

- 4.3.1 This report draws attention to co-ordinated working that demonstrates a contribution towards the following priorities contained in the City Priority Plan:

- Best city for communities:
- Best city to live:
- Best Council Plan 2015 to 2020
- Vision for Leeds 2011 – 2030

- 4.3.2 Cemeteries are regarded not only as areas that have an operational use in terms of burials, they also serve as valuable quality green spaces and places for quiet reflection for both visitors and the bereaved.

Climate Emergency

- 4.3.3 Wherever reasonably practicable the service will procure battery powered machines where they fulfil the service need and are fit for purpose. The groundscare equipment emissions regulations for diesel engines are not to the same standard as road vehicles and it is clear that the motor vehicle industry is more advance in terms of their emission level technologies.

- 4.3.4 All new diesel engine machines will comply to the latest EU directive 2010/22/EU for Non Road Mobile Machinery. There is currently no hybrid or alternative fueled machinery on the market in relation to pedestrian remote controlled cranes. We are in dialogue with the supplier to ensure that we purchase the latest technology that fulfils the service provision whilst meeting the latest emission standards.

4.4 Resources, procurement and value for money

- 4.4.1 The procurement of this equipment represents value for money in respect of savings against the cost of hiring this equipment and is within the current EU threshold. This is the only remote controlled pedestrian crane that will carry out this important H&S work.
- 4.4.2 The procurement costs of this machinery can be met via the Council's capital programme 2019/20.

4.5 Legal implications, access to information, and call-in

- 4.5.1 This is an Intermediate Value Procurement significant operational decision which is not subject to call-in.
- 4.5.2 The Appendix to the report is Exempt/Confidential under Access to Information Procedure Rules 10.4(3) as this information is considered to be commercially sensitive as it is important for businesses to maintain their competitive edge as a participant within such a specialist and commercial environment.
- 4.5.3 Although there is no overriding legal obstacle preventing the waiver of CPR 8.1 and 8.2 the content of the report should be noted. In making their final decision, the Chief Officer of Parks Countryside should be satisfied that the approved course of action represents best value for the council.

4.6 Risk management

- 4.6.1 Should approval not be given for this waiver, there is a significant business and Health and Safety risk that the service may not be able to manoeuvre the memorial headstones safely within the Council's managed cemeteries and crematoria without the use of the pedestrian remote controlled crane.
- 4.6.2 The risk associated with this waiver is thought to be low given the specialist nature and quality of the machine available to maintain safety standards within graveyards and cemeteries.

5. Conclusions

- 5.1 Given the specialist nature of this equipment, it is considered that the best way forward at present for the Council is to procure through the UK supplier, The Hird Group, for the procurement of a Remote controlled pedestrian Valla Crane. These are the only pedestrian remote controlled cranes of this type available in the UK.

6. Recommendations

- 6.1 The Chief Officer Parks & Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 8.1 and 8.2 – Intermediate Value Procurement – to enter into a contract for the procurement of a valla 20D TRX remote controlled pedestrian crane from the Hird Group.

7. Background documents¹

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

7.1 None.