

From: Simon Jones, Corporate Director of Growth, Environment and Transport

To: Peter Osborne Cabinet Member for Highways and Transport

Subject: Procurement and award of contract/s for Soft Landscape Urban Grass, Shrubs & Hedges

Key decision – 26/00038

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Canterbury, Dartford, Gravesham, Maidstone, Thanet, Tonbridge and Malling, Tunbridge Wells, Sevenoaks, Swale, Folkestone and Hythe

Summary:

The Highway Urban Grass, Shrub and Hedge Maintenance Contract expires on the 28th February 2027. A new contract will be required to be procured prior to the end date. This contract will allow for the prescribed services to be delivered for an initial 60-month(5year) period with potential extensions of up to 36-months (3-years). A Key Decision is required to award the contract/s for this service as the value of the contract over the term, including optional extensions exceeds £1m.

Recommendation(s):

The Cabinet Member for Highways and Transport is asked to agree the proposed decision as set out in Appendix A.

1. Introduction

- 1.1 The current contract (SC19071) is operating under a 13-month extension, which commenced on 1st February 2026 and will expire on 28 February 2027.
- 1.2 While the contract includes an option to extend for a further 23 months, the projected spend during this period would exceed the originally advertised and approved contract value, rendering further extension commercially and procedurally unviable.
- 1.3 There are therefore no further extension options, and a new contract is required to be in place for 1st March 2027.
- 1.4 The service is currently delivered through a two-lot geographical model:
 - Lot 1 (West): formerly delivered by Countrymans Contractors Limited (SC19071/1)
 - Lot 2 (East): delivered by Sage Enviro Limited (SC19071/2)

- 1.5 However, Countrymans Contractors Limited entered into administration on 10th July 2025 and as result the services in Lot 1 have been delivered by quotations and variations to existing contracts to ensure continuity.
- 1.6 The two-lot model has provided resilience and flexibility to the service and has been validated by recent market engagement feedback.
- 1.7 The Council has a legal duty to keep roads and pavements clear of vegetation for the safe passage of highway users. In order to ensure the Council meets its statutory obligations the service will need to be re-commissioned.
- 1.8 The main service areas comprise of:
- Six Programmed Urban Grass Cutting visits
 - One Shrub bed maintenance visit
 - One Hedge maintenance visit
 - Conservation Verge and Wildflower programmed maintenance visits
 - Other programmed activities

2. Options considered and dismissed, and associated risk

2.1 Other options considered were:

- **Further extension of current contract.** Agreeing a contract extension would exceed the previously approved contract value, rendering further extension commercially and procedurally unviable.
- **Allow contracts to elapse and not procure and award new contracts.** This would mean KCC would not be meeting its legal duty to keep roads and pavements clear of vegetation to maintain safe passage for highways users.
- **Procure on a countywide basis.** This would discriminate against SME's and reduce resilience.
- **Procure on multiple lots.** This approach has a higher risk of best value not being achieved.

3. Procurement Strategy

3.1 To obtain a greater understanding of the market, the service team undertook a Market Engagement exercise in November 2025. A preliminary Market Engagement Notice was published on the 27th of November 2025, with a Market engagement Questionnaire released on the Kent Business Portal

3.2 Key points drawn from the market engagement were:

- Contractors are familiar with the specification and scope of works
- The contract size is suitable and accessible for SMEs
- A five-year initial term is preferred
- The current 2 lot arrangement was seen positively by the majority of contractors.
- Two lots provide better value for money, as smaller lots would not attract sufficient market interest due to low spend

- 3.3 To ensure resilience within the contracts and to meet market requirements it is proposed therefore to award two separate contracts within the east and west of the County with an initial term of 5 years with the option to extend up to 3 years.
- 3.4 Any decision to extend the contract will be linked to performance and contract compliance.
- 3.5 The proposed lot structure is:
- **Lot 1 (West)** – Dartford, Gravesham, Sevenoaks, Tonbridge & Malling and Tunbridge Wells
 - **Lot 2 (East)** – Maidstone, Swale, Canterbury and Thanet, Folkestone and Hythe
- 3.6 This service in Dover and Ashford is currently delivered by the District Councils. The contract will include provisions to incorporate these areas should service delivery arrangements change during the contract term.
- 3.7 To ensure the Council achieves best value while providing tenderers with clarity regarding contract terms and duration, it is proposed that the contract is divided into two lots.
- 3.8 There will be opportunities to review and refine the tender to accommodate Local Government Reorganisation changes where possible. Additionally, specific contractual clauses will be included to address Local Government Reorganisation, enabling future service restructuring while maintaining service resilience.
- 3.9 The Selection Questionnaire stage has been completed and those companies that passed the minimum threshold have been sent the invitation to tender (ITT). The procurement timetable is as follows:

Task	Date
ITT Period	29 th June 2026 – 14 th August 2026
ITT – Mid Bid reviews	July 2026
ITT Evaluation / Moderation	17 th August 2026 – 28 th August 2026
Tender Clarification Meetings	2 nd September 2026 – 18 th September 2026
Invitation to Submit Final Tenders (ISFT)	5 th October 2026 – 16 th October 2026
Contract award, internal governance, standstill period, notices etc...	2 nd November 2026 – 20 th November 2026
Mobilisation period	30 th November 2026 onwards (3 months)
Contract start	1 st March 2027

4. Financial Implications

- 4.1 Contracts have been linked to the GM87 indices over the course of the contract, so prices have kept pace with inflation. A competitive procurement process will be undertaken, with the contract(s) awarded to the Most Advantageous Tender.
- 4.2 The overall spend on this contract for programmed works is estimated at £15.23m over the course of the contract or £1.91m per year. This spend is currently funded through the highway's soft landscape revenue budget.

To allow for inflation, ad-hoc works, potential service transfers from District Councils, increases in workload and the varying nature of services, the published contract value will be set at £22.5 million over the life of the contract. This provides necessary contractual and governance headroom to manage change and support contract longevity, reducing the risk of early termination due to value constraints.

- 4.3 The funding for this work is contained within the revenue budget of the Highways Asset Management - Soft Landscaping team. Until such time as tender prices are returned it is unknown if there will be any pressure on this budget.

5. Legal implications

- 5.1 The Council has a legal duty to keep roads and pavements clear of vegetation for safe passage of highway users.
- 5.2 This contract allows the Council to minimise its liabilities in relation to claims.
- 5.3 The award of any contracts will be in full compliance with all relevant procurement regulation.
- 5.4 Contract provisions will include novation and variation clauses to enable flexibility in response to Local Government Reorganisation.

6. Equalities implications

- 6.1 An Equalities Impact Assessment has been carried out, and no implications have been identified at this early stage. This will be continually reviewed as the programme continues and has been attached in Appendix B.
- 6.2 The initial screening identified that a Data Projection Impact Assessment will not be necessary as no personal data is collected for this commission.

7. Policy Framework

- 6.1 The procurement of the Highway Urban Grass, Shrub and Hedge Maintenance Contract aligns with the Reforming Kent Strategic Statement by delivering a safe, resident-focused frontline service, supporting efficient and financially sustainable operations, enhancing local environments and biodiversity, and ensuring long-term resilience and value for money within KCC's statutory highway responsibilities.
- 6.2 This commission is detailed within the following plans:

- Highways and Transportation Operational Delivery Plan 26/27

8. Other corporate implications

- 8.1 The decision to award contracts for the maintenance of urban grass, shrubs and hedges has no significant impact in other areas of the Council's work.

9. Conclusions

- 9.1 The Highway Urban Grass, Shrub and Hedge service is essential to the Council's statutory highway maintenance responsibilities.
- 9.2 The Highway Urban Grass, Shrub and Hedge contract ends on 28 February 2027 and so a new contract will need to be in place to ensure uninterrupted service delivery.

9. Recommendation:

The Cabinet Member for Highways and Transport is asked to agree the proposed decision as set out in Appendix A.

10. Background Documents

Appendix A – Record of Decision
Appendix B – Equalities Impact Assessment

11. Contact details

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