

APPENDIX 5: SUMMARY OF RLS SERVICE OPTION APPRAISALS

1. HIGHWAYS SERVICES

- 1.1 Brent has used the London Highways Alliance Contract (LoHAC 1) for all its civil and specialist works services with the contract delivered by Conway Aecom and originally due to end at 31 March 2021.
- 1.2 Whilst the scheme works, planned maintenance and specialist elements of the contract (i.e. structures and drainage) performed well, Conway Aecom consistently struggled to effectively resource the reactive repairs element of the contract, resulting in a backlog of late repairs generating avoidable follow up complaints from stakeholders and additional work to monitor and audit performance. The poor performance of the reactive element of this contract was one of the key drivers behind the identification of the RLS priority to seek greater control and flexibility for our services in future.
- 1.3 In addition to poor contractor performance on reactive maintenance, current budget provision means that annually, approximately 65% of medium priority defects are not ordered for repair.
- 1.4 In late 2019, the council explored options for recommissioning our highways services, including the viability of the use of the Unit 2, Marsh Road Depot in Alperton. It was confirmed that the site was highly suitable for the delivery of in house highways reactive maintenance and gulley cleansing, with potential for additional public realm maintenance to be delivered from the site such as street furniture and signage, but less so for the delivery of highways schemes, planned maintenance or specialist services. Furthermore, it was concluded that other than reactive highways maintenance, all other highways services would be best outsourced due to the level of specialism and the intermittent nature of these works.
- 1.5 In early 2020, a preferred commissioning strategy for highways services was developed comprising the following elements:
 - i) Fully in source the highways reactive maintenance service, to be based at the Council-owned depot and yard at Unit 2, Marsh Road, Alperton (“the Depot”), from April 2022.
 - ii) In parallel, re-procure highways scheme works, planned maintenance and specialist services via a new seven year framework contract, to go live in April 2022, including provision for ad hoc reactive maintenance services to be drawn down from this framework at times when the in house service is operating at capacity. (An extensive reactive maintenance service would be drawn down for the financial year 2022-23, while the in house service is in development).
 - iii) Develop interim procurement arrangements for all highways services from April 2021 until end March 2022.
- 1.6 The uncertainty caused by Covid-19 in spring 2020, however, in relation to both delivery and affordability risk, led to alternative interim arrangements being put in place until 31 March 2023. Whilst the preferred commissioning strategy in para 1.5 above was

considered to best meet the priorities and objectives set for the RLS programme at that time, affordability had become the key factor.

- 1.7 As a result of the uncertainty created by Covid, the existing LoHAC 1 contract was extended by two years until 31 March 2023, involving a variation to the current contract and novation from Conway Aecom to FM Conway (as the former company is being wound down). In parallel, the Council will test a small scale in house highways reactive maintenance service, based at the Depot. This team will focus on remedying highways defects generated by customer reports. These defects tend to be the most contentious and cause the most correspondence, complaints and therefore reputational harm. The repairs would include minor potholes and footway defects such as raised and cracked slabs causing slip/trip hazards, and dislodged kerbs, posts and bollards. Defects identified through scheduled inspections will remain allocated to FM Conway.
- 1.8 There are three potential commissioning options for consideration for 1 April 2023. Decision on these options will need to be made by January 2022 to allow sufficient time for both evaluation of the in house trial and implementation of the new arrangements by 1st April 2023:
- i) Continue the small scale in house reactive maintenance service and re-procure the rest of reactive maintenance, scheme works, planned maintenance and specialist services via a seven year Brent-led framework contract from 1 April 2023 until 31st March 2030.
 - ii) Bring highways reactive maintenance fully in house and re-procure highways scheme works, planned maintenance and specialist services via a seven year Brent-led framework contract from 1 April 2023 until 31st March 2030.
 - iii) Outsource all highways services via a seven year Brent-led framework contract from 1 April 2023 until 31st March 2030.
- 1.9 The cost of insourcing the full highways reactive maintenance function has been revisited as part of the preparation of this report. Fully insourcing the highways reactive maintenance service is estimated to carry a potential additional cost rising to £0.59m per annum from 2024/25, compared to an additional cost of retendering of circa £0.1m per annum. By comparison, insourcing via a local authority company would cost an additional £0.35m from 2024/25.
- 1.10 The principal factors behind the additional cost of insourcing are the ability of contractors to achieve efficiencies and economies of scale across a range of contracts, higher productivity linked to longer working hours and the cost of local government pensions. The capital requirement for full insourcing is £0.6m.

2. GROUNDS MAINTENANCE

- 2.1 Grounds maintenance is currently included in the Public Realm contract and covers Brent's parks, housing estates and highways grass verges. The estimated cost of GM provision within the total Public Realm contract is £2.6m per annum, with £400k of this funded from the Housing Revenue account for grounds maintenance on housing estates.

Category	No. of sites	Approximate area
Parks and Open Spaces	114	458.28 ha (hectares)
Sports Pitches	108	n/a
Playgrounds and MUGAs	55	n/a
Allotments	21	13.8 ha (hectares)
Shrub Sites (outside Parks)	229	33,862m ²
Grass Verges	353	306,825m ²
Brent Housing Estates	273	TBC

2.2 There are 6 depots located in borough parks, with the first 3 listed below currently utilised to deliver grounds maintenance services:

- Gladstone Park
- Roundwood Park
- Vale Farm
- King Edwards VII Park
- Roe Green
- Northwick Park

2.3 Veolia currently operate separate teams for parks, housing and verges as follows:

- Housing: 2x Team Leader, 10x Operatives, with operations split between North and South of the borough.
- Parks: 5x Team Leader, 27x Operatives, 6x Wardens, with operations split between North and South of the borough.
- Verges: 1x Team Leader, 2x Operatives, operating across the whole borough.

2.4 In early 2021, Brent commissioned an independent consultant to estimate the cost of insourcing the grounds maintenance function on both the “as is” Veolia model (Option A) and an alternative model that could be integrated with Brent’s neighbourhood management approach (Option B).

2.5 Option B was considered preferable were the Council to insource this function; each neighbourhood would have its own set of resources to deliver grounds maintenance. The approach is based on ownership, recognition and accountability and the staff resources allocated for each area would be empowered to deliver the service to meet the requirements of each given neighbourhood. Each neighbourhood may have different aspirations so having in house neighbourhood teams allows the work schedules to be changed to suit such local needs and to best use the resources that have been allocated. This approach, when managed and developed correctly, usually results in higher standards and higher levels of customer satisfaction.

2.6 It was estimated to cost an additional £1.23m to directly insource the grounds maintenance function on a neighbourhood model. For comparison, the cost for insourcing via a Local Authority Company was estimated at an additional £0.65m.

- 2.7 Depreciation for vehicles has been included in the revenue cost and therefore capital is not an additional cost. For cash-flow purposes the capital required for fleet is £2.6m. An additional £0.5m would be required for depot refurbishment and £0.2m for one off mobilisation costs.

	Veolia (as-is)	LBB In-Sourced (as is) Option A		LBB In-Sourced (Neighbourhoods) Option B	
		35% Pension	5% Pension	35% Pension	5% Pension
Costs	£ '000s	£ '000s	£ '000s	£ '000s	£ '000s
Staffing Costs	1,905	2,489	1,971	2,440	1,933
Vehicles	490	490	490	575	575
Materials and Equipment	102	102	102	113	113
Depot Costs	15	15	15	15	15
Other	33	33	33	33	33
Central Overheads	41	132	132	142	142
General Contingency	-	489	411	498	421
Revenue Costs Total	2,586	3,750	3,154	3,814	3,231

3. STREET CLEANSING

- 3.1 An assessment of the cost of insourcing the street cleansing service was undertaken by APSE in early 2021. The current costs of the service were found to be high in comparison to APSE national indicators, however, it was recognised that the service needs of local authorities can vary in relation to their size and demographical characteristics coupled to the needs and aspirations of the public and the Council. A benchmarking study undertaken across London boroughs in 2009, the findings of which are still considered valid, on the extent to which boroughs are 'easy to serve', placed Brent in the 'hard to serve' category (i.e. facing greater demands than boroughs in the other categories of 'median to serve' and 'easy to serve').
- 3.2 APSE considered that bringing the services in-house would allow the Council to manage its services in a more strategic manner and have a greater degree of control and flexibility in the manner they are provided. This would assist the council in developing and enhancing its corporate planning process and provide a public ethos in service delivery.
- 3.3 A financial assessment was undertaken with a direct comparison between the current contract costs and the operating costs of an in-house service. The level of resources (manpower vehicles etc.) currently utilised by the contractor was analysed and replicated to create a "shadow budget" to enable the Council to consider the financial implications of bringing the service in-house. This shadow budget was formulated by APSE representatives in liaison with Council's accountancy section and Council officers managing the service.
- 3.4 The financial modelling undertaken as part of APSE's review concluded that there would be a significant additional cost to bringing the service in house. The estimated current annual cost of the contractor is £7.17m which when compared to the projected estimated costs of £9.76m for an in-house service based on a 35% pension contribution

represents a financial gap of £2.58m. The financial gap would be reduced to £1.13m when based on the 5% pension contribution option of a Local Authority Company.

- 3.5 APSE considered there to be significant scope for the Council to strengthen its 3E's strategy (education, engagement, enforcement) and to be more proactive in developing civic pride and caring for the environment. This could lead to a cleaner environment and therefore place less demands on the service.

4. ARBORICULTURAL SERVICES

- 4.1 The objectives of the Arboricultural Service are to:

- Provide well-maintained trees that are appropriate for their setting, which improve the public realm, and contribute positively to local biodiversity and air quality
- Remove and replace trees at high risk of causing insurance claims
- Maintain at least the current number of street trees
- Meet a high level of legislative requirements: Safety of operatives and the public
- COSSH, Environmental Protection Act 1990

- 4.2 The service is responsible for the maintenance of approximately 20,000 street trees, 12,000 Parks trees and 5,000 Housing trees. Maintenance includes pruning, pollarding, ground works, removal and planting. The current contract commenced in April 2018 and will end in March 2023 with a possible 2-year extension to 31 March 2025.

- 4.3 Contract spend is £571k per annum for street trees, and around £160k per annum for Housing and £40k per annum for Parks. Unit costs are dependent on type of work and size of tree. The contract contains a detailed schedule of rates covering the whole contract period, with no requirement for any inflationary price increases.

- 4.4 The following options were considered:

Option 1: In-source the arboriculture service

Option 2: Extend the current Arboricultural Services contract for two years and insource the tree surveying and data management function from April 2023

Option 3: Re-procure the arboriculture service

- 4.5 Direct provision of tree maintenance services would require a depot facility with at least an acre for plant and vehicle storage, mess facilities, tree waste storage and good access for a large articulated lorry. There would potentially be issues regarding the impact of noise from the depot on nearby residents or businesses. It has not been possible to identify suitable space for such a depot on council owned land. Annual rental of a suitable site were a site be found would likely cost in the region of £130k to £175k p.a., or a purchase price in the region of £1.1M. This, together with the disadvantages and risks associated with insourcing below, has led to the insourcing option being considered unfavourable.

- The Council has no experience in the direct delivery of arboricultural services and there is no successful in-house service at any other London borough to provide relevant experience to draw on

- The recruitment of a fixed permanent workforce would not facilitate flexibility for variations in demand, particularly during the winter months when the service is busiest
- The Council is less likely to attract and retain qualified staff members with only a single-borough localised service, and would not be able to offer the same productivity incentives
- Significantly greater costs would be incurred through this approach (£469k more per annum, comprising direct costs, central overheads and 15% general contingency), with an additional £100k in mobilisation costs and £810k for investment in the depot, several new specialist vehicles and plant
- A well-functioning arboricultural service could not be guaranteed to be risk-free with this option, which could directly impact on the functions of the Housing and Parks services in addition to the street trees service
- Bringing services in-house is a complex transfer of undertaking with the potential for unexpected costs and a substantive transition period
- Only one London borough provides arboricultural services through an in-house DSO; it is reported that the borough has a significant backlog of work, with contractors brought in to clear this. Following an incident a service review is now taking place

4.6 Option 2 - extend the current maintenance contract for two years and insource the tree surveying and data management function from April 2023 - is the recommended commissioning solution for the following reasons:

- Until March 2025 the Council can expect the delivery of arboricultural services by a highly experienced company with a proven track record in Brent
- The current contractor has already made the necessary investment in vehicles, plant and depot facilities
- The contractor can draw from a wide pool of qualified technical staff, and attracts & retains staff by providing performance incentives
- The contractor has arrangements in place to deploy additional staff during the winter months
- Key costs are shared by the provider across several contracts, which makes it the least expensive option in the short-term due to economies of scale.
- There will be no immediate need to mobilise a new provider
- The cost of the contract would not be subject to an inflationary price increase until April 2025
- There will be an opportunity to review and amend the terms of the contract based on lessons learned
- Extending the contract would provide an opportunity to in-source the tree surveying function and associated database from April 2023, to provide the Council with greater control of the service, facilitating better planning and completion of works and achieving better value for money for our maintenance budget
- Staff time required to maintain the database would be covered from existing resources, and/or as an element of the TUPE transfer to the Council of the existing

surveyor post. Option 2b is estimated to cost an additional £25-30k per annum, comprising £20k in staff costs and circa £5k - 10k in database license costs, with £20K capital required to purchase the tree database

4.7 Option 3, going to immediate re-procurement of the service through an external contractor is not recommended, as:

- Performance standards of the current contractor remain high
- Avoidable costs would be incurred in tendering out the contract early during 2022/23
- Going to the market for April 2023 would be highly unlikely to lead to the appointment of a better performing contractor or a reduction in the cost of the contract
- The cost of the new contract in the first two years would increase by an estimated £154k to reflect inflation from 2018 to 2023

4.8 Officers considered the potential to merge arboriculture and grounds maintenance functions, either through insourced provision or through an outsourced arrangement. Tree maintenance services are highly specialist, however, and arboriculture and grounds maintenance functions tend to be kept separate when delivered in house, while even specialist green services companies who provide both services tend to have separate grounds and arboricultural divisions.

5. PARKING SERVICES

5.1 An independent parking specialist was commissioned to undertake an in depth parking enforcement option appraisal. This considered the impact and practicalities of bringing some or all of these services in house at the end of the current contract period and potential synergies with other Council services.

5.2 The appraisal concluded that, while from an operational perspective there is nothing that the current contractor does that the Council could not do for itself, there are significant financial considerations attached to such a move. Those financial considerations were broken down across three key areas:

- Mobilisation – the one-off cost associated with the inbound transfer
- Annual Running Costs – additional costs driven in the main by higher staff salaries
- At-Risk Costs – additional costs driven in the main by the risk of reduced operational performance of the service

5.3 The costs of full insourcing were presented in a Low, Medium, High scenarios model, based on a drop in operational performance of 8%, 16% and 24% respectively. These were summed as 5-year totals which would represent the minimum period the service would likely remain in-house were the Council to subsequently decide to outsource the service again.

5.4 The Medium scenario estimated an additional cost of £3.7m per year, as well as an upfront mobilisation cost of £0.42m. The Council was advised to consider the Medium case as the most likely to occur, with variance towards the High case scenario more

likely than variance towards the Low case scenario. If the High cost scenario were to materialise the additional cost would increase to £4.2m per annum.

5.5 The opportunity for synergies across other Environmental Enforcement functions highlighted a number of significant risks to a merger with other enforcement functions. While the notion of a single joint enforcement team is attractive, we were advised that no other local authority appears to have adopted this approach and that a business case would not be favourable for the following reasons:

- The services act under different legislation and have very separate considerations that need to be taken into account when carrying out enforcement action, which require different workflows and systems which would not be easy to integrate either in the back office or out in the field
- The legal requirement for the Civil Enforcement Officers' (CEO) uniform to carry clear identification
- The significant financial impact of diluting focus of enforcement officers on operational performance such as issuance of Penalty Charge Notices
- The difference in grading of CEOs (Scale 4) compared to Environmental Enforcement officers (SO1), representing a £9k difference per annum per officer. Any move to instigate joint working or a single multi-skilled workforce was considered likely to cause an upward revision of the CEO salary and supervisory roles above them, exposing the Council to a new risk of up to £1m per year in additional salary costs

5.6 Options for partial in-sourcing were also examined. Each service function was considered to understand if there was any financial or strategic advantage to in-sourcing. In most instances, no such benefit could be identified. The exception was the Pre-Notice to Owner (NTO) Correspondence work-stream. Serco currently provides this service to the Council with two staff based at its depot in Park Royal.

5.7 The individuals could be incorporated back into the larger Parking back-office Notice Processing Team. The addition of these two individuals would be absorbed within the structure without any need to change either structure or management capacity. The additional cost of taking this specific service back into the Council is estimated at £32k per year. This variance is made up of direct employee costs driven by the Council's higher cost of employment and benefits. No additional, indirect corporate overheads would be charged for these two posts given the low anticipated impact on corporate resources.

5.8 Although this option is a net cost, it does present some benefits for that cost. While there is nothing in legislation that prevents the outsourcing of this work-stream, there has historically been discomfort in some quarters that doing so results in a situation where the contractor is in effect "marking its own homework" as it is issuing the PCNs and then answering the challenges to those same PCNs. Moving this service back In-House could provide:

- Greater transparency on the activities of the contractor
- More control on how policy is applied to the cancellation of PCNs
- Improved quality of Pre-NTO correspondence

- Greater consistency between Pre and Post NTO communications with customers
 - Greater flexibility across the wider PCN correspondence team to deal with surges in workload
- 5.9 The recommendation for parking services is therefore to insource the informal parking appeals team and re-procure all other parking services for 1st April 2023. All Serco employees on the Brent contract are paid the London Living Wage, with Civil Enforcement Officers paid an annual salary of £24k.

6. STREET LIGHTING

- 6.1 Brent currently uses FM Conway (FMC) for the core maintenance service. An officer-led options appraisal has been completed which recommends that these services stay outsourced, either through a two year contract extension from 1 April 2023 to 31 March 2025 or through a re-procurement exercise, following appraisal of the current contractor's performance later this year. A decision on whether to extend or re-procure would need to be made by December 2021.
- 6.2 Of the projected £1.1m lighting maintenance budget, the core maintenance contract represents about £800k of activity. The balance of the budget (£300k) is used for specific major investments required by new developments or immediate safety pressures. For the purpose of this assessment, the cost comparison between the two main options has focused on the core contract, valued currently at £800k. It is assumed that the remaining budget of £300k would not be impacted significantly whether the core contract was outsourced or provided by an in-house team.
- 6.3 Over a four year contract period, the additional cost of in-house street lighting maintenance provision via a DSO is estimated to amount to £1.057m revenue and £365k capital. The additional costs would be:
- £208k per annum on a recurring basis;
 - £365k upfront capital investment in the year 2022/23; and
 - £225k revenue mobilisation costs in the first year.
- 6.4 While the Council would have direct control over operations, it has no experience of delivering lighting maintenance, and there is no comparable in-house service at other London boroughs to provide relevant experience to draw on. The recruitment of a fixed permanent workforce would not facilitate flexibility for variations in demand. The Council are less likely to attract and retain qualified staff members with only a single-borough localised service, and would not be able to offer the same productivity incentives.
- 6.5 The Council would have greater budgetary flexibility, but significantly greater costs would be incurred through this approach, including the need for additional investment in the depot, several new specialist vehicles and electrical plant.
- 6.6 A well-functioning lighting maintenance service could not be guaranteed to be risk-free with this option, which could directly impact on the functions of the Highways and Infrastructure Team, particularly risks to road safety and the effective management of the public highway.

6.7 Bringing services in-house is complex transfer of undertaking with the potential for unexpected costs and a substantive transition period.

6.8 The benefits of these services remaining outsourced are:

- The Council can expect the delivery of lighting maintenance with an experienced company with a proven track record
- Contractors operating in this field have already made the necessary investment in vehicles, plant and depot facilities
- A specialist organisation can draw from a wider pool of qualified technical staff, and attract & retain staff by providing performance incentives
- Any costs can be shared by the provider across several contracts, which makes it the least expensive option due to economies of scale
- By re-procuring all street lighting services, there will be no need for a long mobilisation period
- There will be an opportunity to review and amend the terms of the contract based on lessons learned
- Some financial and operational risks are borne by the contractor rather than by the Council. The Council can use robust contract management to ensure that services are delivered as specified

7. WASTE AND RECYCLING COLLECTIONS AND REPROCESSING

7.1 During financial year 2020-21, West London Waste carried out an options appraisal for Brent's waste and recycling services which assessed the following delivery models:

- Direct insourcing
- Insourcing via a local authority company (Local Authority Company)
- Re-procuring

Review of service delivery model options

7.2 The cost of the waste collection elements of the current Public Realm contract combined with the waste disposal costs – i.e. the whole system waste cost to Brent - is estimated at £20m. The table overleaf shows the total cost of three competing service delivery models (our recommissioning options), with general contingency at 15% added for the insourcing options 2 and 3. Options 2 and 3 would also attract upfront mobilisation costs of £0.5m.

Option	Impact	Pros	Cons	Total Cost p/a
1. Retendering	<ul style="list-style-type: none"> • Generate competition in the market to ensure optimised solution and high levels of innovation • Create a flexible contract to partner with the Borough through the changes following the Environment Bill in 2023 	<ul style="list-style-type: none"> • Balanced risk transfer ie. operational risk • Central overhead efficiency • Ongoing efficiency drive • Competition 	<ul style="list-style-type: none"> • Lack of control • No transparency in ops/costs • High initial innovation • Low in contract innovation • Contract mobilisation and delivery in line with bid quality 	£21.5m
2. Insourcing via a Local Authority Company	<ul style="list-style-type: none"> • This is likely to marginally increase the cost compared to private sector due to the increase in pension costs and a potential increase in overhead. 	<ul style="list-style-type: none"> • Control • New service/potential for ongoing change 	<ul style="list-style-type: none"> • All Risk sits with the Borough. • Longer term contract potentially stifles innovation/change. • Cost depending on terms of employment. • Additional management resource • Company overhead 	£23.5m
3. Insourcing Direct	<ul style="list-style-type: none"> • Full control of the services however at an increased cost due to the pension contributions and overhead costs. 	Control	<ul style="list-style-type: none"> • All risk sits with the Borough. • Long-term softening of efficiency • Cost • Delivery experience 	£24m

8. SUMMARY COSTS OF DELIVERY MODEL OPTIONS FOR EACH SERVICE

The table below compares the costs of retendering, insourcing and establishing a local authority company for each service. Rows 9 to 14 show a breakdown of the additional costs of insourcing, whilst rows 15 to 21 show a further breakdown of row 12 costs.

Service	Retendering £000	Insourcing £000	Local Authority Company £000	Insourcing variance against Retendering £000	Local Authority Company variance against Retendering £000
1. Street cleansing	7,176	9,758	8,306	2,582	1,130
2. Grounds maintenance	2,586	3,814	3,231	1,228	645
3. Waste (total waste costs including disposal)	21,460	23,936	23,552	2,476	2,093
4. Highways (reactive maintenance only)	827	1,452	1,215	625	388
5. Arboricultural services	771	1,240	1,101	469	330
6. Street lighting maintenance	800	1,008	912	208	112
7. Parking	6,265	9,933	8,975	3,668	2,710
8. Winter maintenance	385	443	443	58	58
Total	40,270	51,584	47,736	11,314	7,466
9. o/w Contingency				5,276	4,807
10. o/w Reduced PCN Income				944	944
11. o/w Additional Pension Costs				3,734	
12. o/w Additional Productivity and Brent Council Pay Scales				1,170	1,170
13. o/w Additional Overheads					359
14. Other				189	185

Breakdown of Additional Productivity an Brent Council Pay Scales				
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15. Street Cleansing - additional labour costs to reflect reduction in hours from 40 to 36				350
16. Street Cleansing - application of Pension costs to Overtime and Bonus				133
17. Street Cleansing - training costs and higher pay scales				74
18. Street Cleansing Total				557
19. Parking - additional staff through insourcing service and higher pay costs				370
20. Waste				189
21. Other (Arboriculture, Grounds Maintenance and Street Lighting)				55
Total				1,170