

<b>Subject:</b>	Public Realm - Grass Cutting Update	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	29 <sup>th</sup> June 2011
<b>Report of:</b>	<b>Director of Customers and Communities</b>	<b>Portfolio Holder:</b>	Communities
<b>Key Decision:</b>	No <input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Community Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	That Members agree to Rossendale Borough Council (RBC) participating in the Public Realm Project, (Phase one Grass and Shrub Maintenance) and that any contract negotiations are delegated to the Director of Customers and Communities in consultation with the Portfolio Holder.
1.2	That the work in relation to steep bankings and reducing the associated risks is noted and the proposed approach to discuss changes via Neighbourhood Forums is agreed.
1.3	That the work in relation to the site ownership review, and the benefits to the Council are noted and agreed.

## 2. PURPOSE OF REPORT

- 2.1 To update members on the progress of the Public Realm Project, and seek approval for Rossendale Borough Council to maintain highway verges.
- 2.2 To update Members on the work in relation to the maintenance of steep bankings.
- 2.3 To update Members of the work in relation to the maintenance of land not in the ownership of Rossendale Borough Council.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

## 5. BACKGROUND AND OPTIONS

### 5.1 Public Realm (Grass Cutting)

- 5.1.1 Previous reports were submitted to Cabinet on the 3<sup>rd</sup> June 2010 and 25<sup>th</sup> November 2010 detailing the Lancashire County Council (LCC) Public Realm Project. The former report recommended that the decision to participate in the Public Realm Project be deferred until

funding can be identified to adequately cover the revenue and capital associated with delivering services to the appropriate Rossendale Borough Council standards.

- 5.1.2 As the main barrier to Rossendale Borough Council participating in the Public Realm Project was the risk associated with insufficient budgets for grass cutting, both Rossendale Borough Council and Lancashire County Council sought to identify the likely costs of a combined grass cutting service by obtaining competitive prices from the private sector using the combined sites of both councils defined as highway verges or similar. This process identified a benchmark value for the maintenance of such sites to RBC's and LCC's specifications.
- 5.1.3 By obtaining a benchmark value both councils could compare current spend against perceived spend and agree on appropriate budgets to allocate to the project. As the budgets were agreed prior to the 2011 cutting season, RBC have already begun to maintain the highway verges with a view to a longer term agreement
- 5.1.4 The additional areas of highway verges have been programmed in to the grass cutting schedule spread between the four existing mobile amenity grass cutting teams the council already employs. The frequency of cut is scheduled for 6 times per season, one more than the current specification, to ensure that higher profile areas such as parks and cemeteries can be maintained at a higher frequency.
- 5.1.5 For the remainder of the Public Realm Clean and Green Functions, tree maintenance remains a County function and work is only undertaken if the tree is seen as a hazard to vehicular or pedestrian movement. Weed killing is already undertaken by RBC who match from the operations budget £9,300 to undertake two applications throughout the valley, once in spring with a further application in late summer.
- 5.1.6 It is anticipated that the basis of any proposed agreement with LCC will be an extension of the existing residual highways agreement already in place between RBC and LCC. The agreement lasts for three years and sets out the responsibilities and standards for both LCC and RBC, the agreement also gives RBC the permission to erect street furniture and other public realm related features such as planters and hanging baskets. It is also expected that as part of the extension RBC undertakes progress reports quarterly and that these are discussed with the LCC Public Realm Manager.
- 5.1.7 The budget allocation for the Public Realm (Grass Cutting) phase one has been calculated using the benchmarking exercise as detailed above. To allow RBC to deliver the service on behalf of both organisations, the following budget is being provided to RBC by LCC:

• Grass cutting Direct Labour / machinery	£31,667
• Weed control	£ 8,260
• Leaf Clearance (contribution)	£ 6,799
• Supervision	£ 6,833
• <b>Total</b>	<b>£53,559</b>

## 5.2 Steep Bankings

- 5.2.1 A report was submitted to Cabinet 3<sup>rd</sup> June 2010 giving information and awareness of the issues affecting grass cutting operations in Rossendale. Part of this report detailed some of the risks associated with maintaining grassed areas with slopes and falls, and proposed solutions for reducing these risks. From this report of the work undertaken the following actions have been achieved:-

- 5.2.2 Sites identified as having health and safety issues particularly relating to steep bankings, vertical drops and areas adjacent to water courses have all been risk assessed. The relevant teams have a copy of these risk assessments so that they are able to alter their onsite practices.
- 5.2.3 The operations and communities teams have comprised a series of solutions to these risks and a list of all sites affected, and details of proposed actions is attached as Appendix A. These improvements formed part of the budget consultation process in February 2011 and are to be funded from savings proposed as part of the medium term strategy. These approaches will be discussed at Neighbourhood Forums.
- 5.2.4 With regards to the proposed improvements, in some areas it is recommended that we plant areas to act as natural barriers or totally eliminate the need to cut a site by removing the grass and replacing it with shrubs. In others, new equipment has been purchased, funded by the public realm budget, to maintain the sites without the need for employees with pedestrian mowers.
- 5.2.5 Should members agree to the proposal, work tickets will be issued to the teams to begin applying herbicide to kill off existing grass/vegetation ready for planting up. The application of herbicide can occur in the months June and July, the effects of which will be clearly visible to the public. Plants can be selected and procured with delivery mid July 2011. The exact timing for planting up the sites will depend on location and weather conditions. However we will aim to plant during the grass cutting season so as to eliminate hazards as soon as possible.

### 5.3 **Site Ownership review**

- 5.3.1 The report which came to Cabinet in June 2010 also identified that the Council currently maintains a number of sites which either fall within the Green Vale Homes area or are sites in private ownership. The recommendations from the report were to enter into a formal process of registering the land as RBC land or seek payment from private owners should they wish us to continue maintaining their site.
- 5.3.2 Overall, out of the list of sites originally produced, the following actions have been or are being realised:
- Following searches, 60 sites (approx 58% of the total area identified) were identified as belonging to RBC but had not been logged as such. This has now been rectified;
  - 33 sites (approx 28% of the total area surveyed) did not belong to RBC but the owners could not be traced so it is proposed that these will now be registered as RBC land, following suitability checks;
  - 12 sites (approx 7% of the total area surveyed) was found to be the responsibility of Green Vale Homes and it has subsequently been agreed with Green Vale Homes that they will take back the maintenance of those sites as from 2011; and
  - 15 sites (approx 7% of the total area surveyed) belonged to private owners who were contacted and decided that they would take over the maintenance of the sites themselves. These sites have therefore been removed from the Council's maintenance programme.
- 5.3.3 A summary of this action is attached as Appendix B.

## 5.4 Frequency of Cuts

- 5.4.1 The number and frequency of grass cuts across the Borough was discussed by Cabinet in January 2011. Cabinet Members highlighted the importance of designing a revised grass cutting rota that recognised the different characteristics of the Borough and expressed a desire that the Neighbourhood Forum members should play an important role in developing a strategy for their area.
- 5.4.2 There has been a restructure across the Operations and Communities teams, which has focused on improving locality working on a Neighbourhood Forum footprint. The restructure involved the transfer of Parks and Open Spaces function to the Communities Team. One of the first tasks of the Communities Manager has been to draw up DRAFT proposals for the redesign of grass cutting rotas to align to the Neighbourhood Forums. These rotas will take account of the information in the Neighbourhood Forum Action Plans for example there is a clear message from the Haslingden, Helmshore and Edenfield Neighbourhood Forum Action Plan about maintaining and improving the visual appearance of the gateways to the Borough.
- 5.4.3 A discussion paper will be taken to the July 2011 round of Neighbourhood Forums highlighting the changes to the Communities Team and proposals for revising the grass cutting rota seeking the input of the members of the Neighbourhood Forum.

### **COMMENTS FROM STATUTORY OFFICERS:**

#### **6. SECTION 151 OFFICER**

- 6.1 Any financial implications arising from the recommendations will be contained within existing budget resources.

#### **7. MONITORING OFFICER**

- 7.1 An assessment of the 33 sites referred to in paragraph 5.3.2 would be beneficial, before the Council registers them and takes ownership. There will also be some limited costs and approximately 2 weeks of officer time spent registering each site at the Land Registry.

#### **8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 8.1 Employees will be deployed and reorganised to meet the needs of the service, full consultation will take place with employees and Trade Unions.

#### **9. CONSULTATION CARRIED OUT**

- 9.1 Cabinet was consulted on 3 June 2010, 25 November 2010 and 26 January 2011. There have also been a number of project meetings with LCC. Neighbourhood Forum input has been considered with regard to frequency of cuts and more engagement is planned.

## 10. CONCLUSION

- 10.1 The revised budget allocation of the Public Realm Project, (grass maintenance) and improved emphasis on partnership working with Lancashire County Council now means that RBC's involvement in the project will allow a more joined up, customer friendly approach to maintain highways verges. Customers can now expect a single point of contact experience when dealing with enquires related to open space and highway verge maintenance.
- 10.2 The work undertaken to reduce the risks associated with steep bankings allows us to reduce the safety risks to staff whilst still providing a varied and maintained landscape, in response to customer feedback. Where possible, planting and landscaping has been proposed as a solution to mitigate the need to leave areas of grass uncut. The remaining sites will still continue to be maintained as grass bankings without risk to employees or the council. Grassed areas with the highest risk will receive a cut at least three times per annum, the more lower risk sites where landscaping improvements have mitigated some of the risk will continue to be maintained in line with current schedules.
- 10.3 The site ownership review identified a number of sites where the Council was unsure of it's legal responsibility to maintain. Simply stopping the maintenance of these areas whilst ownership was clarified would have had a negative effect on residents. The information in this report demonstrates the work undertaken in seeking more customer responsive solutions such as working with partners like Green Vale Homes on transferring the land and any associated maintenance back to their ownership. For land where ownership could not formally be identified, the council have sought to acquire the land through formal registration ensuring that the sites remained maintained as well as owned by the Council.

No background papers