



## **Playground installation, repairs and maintenance, frequently asked questions**

**March 2023**

Below is a set of frequently asked questions and answers to provide you with further information on the proposed contract for the installation, maintenance, repair, and inspection of play areas and gym areas on our housing estates.

### **Why have I received this Section 20 notice?**

The London Borough of Lambeth is seeking a contractor to submit bids to inspect, repair, maintain and install Lambeth Housing play equipment and surfaces, outdoor gyms and multi-use games areas. You have received a S20 notice because you are a leaseholder, and you may incur future service charges in respect of the costs of services this contract will provide which Lambeth will seek to recover.

Please do take the time to watch a short (5 minute) film which explains what a Section 20 notice is and what this means for you: <https://bit.ly/S20Film>.

### **I do not have a play area on my estate, so why am I being consulted, and will I be charged?**

This is a borough-wide consultation; hence we consult with all relevant homeowners. You will only be charged if you have these facilities on your estate or receive them in the future.

### **I do not use play areas, outdoor gyms, or multi-use game areas, so why am I being consulted, and will I be charged?**

These areas are an estate facility which we are required to maintain, repair, and inspect. We are consulting with you because your property is within an estate as per the terms of your lease. You will only be charged for these facilities if works are conducted.

### **How will I be charged for facilities? Where do these fees show up in our service charge bill? Are they separate?**

If your estate does not benefit from the facilities covered by the contract you will not be charged. If you are eligible to be charged, we will write to you with a further Section 20 Notice. This notice will provide you with an estimated cost as per the schedule of rates.

You will be charged for the services provided by the contract in your yearly service charges (Estimates every March, Actuals every September). If your estate does not benefit you will not be charged.

**Some of the services mentioned appear to be services that I already receive paid via by Council Tax, am I being double charged?**

No. You are not and will not be double charged. The services within the contract are those provided by Lambeth as your landlord/freeholder over and above those services provided to you as a Council Taxpayer and are funded from the Housing Revenue Account.

The services under the contract will only apply to play area, multi-use games areas or outdoor gyms on housing estates; they do not apply to similar facilities elsewhere in the borough such as parks and open spaces.

Any services that are currently provided by Lambeth and funded through Council Tax will remain in place; we will not be charging you for Council Tax funded services.

**My estate is managed by a Tenant/Resident Management Organisation (TMO/RMO). Do these contracts apply to me?**

This notice is a borough-wide consultation sent to all homeowners from whom Lambeth may seek to recover costs of these contracts.

You may receive some or all these services directly by your TMO or RMO, this depends on the Management Agreement in place between the council and your TMO/RMO.

If all the services within these contracts are currently delivered by your TMO/RMO there is no intention of imposing these services over the current arrangement. Once any proposed new contract(s) go live, you will continue to receive your services via your TMO/RMO as you do now.

In the future event the TMO/RMO wishes to outsource a service, or already does outsource the workstream to Lambeth, then these contracts will be in place for this eventuality.

**Why are we proposing to enter into a long-term agreement?**

A long-term agreement is one that lasts longer than 12 months. The Council and residents will benefit from having a long-term contractor who will get to know Lambeth well and is able to manage planned programmed maintenance (PPM) to ensure that play facilities are kept in the best condition possible; having a long-term agreement will also help us to understand costs over a long period, providing financial stability for the Council and homeowners.

## **What is the proposed scope of the long-term agreement?**

The intended contract will be for an initial period of 3 years with the option to extend by two years and a further two years up to a maximum of 7yrs. Following the initial three-year contract term, there will be an assessment of the success of the contract to decide whether to extend it by two years and another assessment after a further two years.

The proposed contract is for the repair, installation, maintenance and inspection of Lambeth Housing play equipment and surfaces, outdoor gyms, and multi-use games areas.

## **Why doesn't Lambeth provide these services in-house and employ people to carry out these duties now?**

Provision of the service from in-house resources has been considered. However, very few in-house staff have the specialist qualifications required for this work. Having staff with the right qualifications is essential for the health and safety of the users of these play areas. Training in-house staff would lead to disruption and delays to the service and play areas potentially having to be closed.

Bringing the service in house could be considered after an initial contract term.

## **How long will the agreement last?**

The agreement will last for a period of 3 years with the option to extend for two further periods of two years up to a maximum of 7yrs.

## **Can I nominate a contractor(s)?**

No. Under the consultation regulations and due to the value of the contract, you do not have the opportunity to propose the name of a person or company from whom we should try to obtain services.

## **How will you be selecting the provider?**

Once the consultation period has closed and all observations have been responded to with due regard, the council will be able to start the tendering process.

Contractors will be invited to submit tenders via an Open Tender process. This means that any contractor interested in the work can submit a tender to the Council for consideration.

Submitted tenders will be evaluated based on the evaluation criteria set out in the invitation to tender that will include both cost and quality criteria. Robust evaluation of cost and quality elements will be undertaken by an Evaluation Panel. After this evaluation process, we will write to you again advising who Lambeth proposes to award the contract(s) to.

### **How have resident views been considered?**

We will seek the view of residents through consultation when developing a strategy for play in the borough. We will collaborate with the council's Communications Team to ensure we reach as many residents as possible through a variety of communication channels. Where we are looking to replace equipment, we will seek to include children and young people in the consultation process.

### **Can I opt out of receiving these contracts?**

No. As your landlord, we have an obligation under the lease to repair and maintain our estates.

This consultation does, however, give you the opportunity to share your views on the proposed contract award.

### **How will the council ensure costs are kept to a minimum and best value for money is achieved?**

In the first instance, and in addition to the economies of scale Lambeth Council can achieve, the council will be creating clear specifications and tender documentation to ensure pricing is accurate. The council will also adopt straightforward pricing arrangements that are auditable and offer transparency to service charge payers. Furthermore, contractors will be required to work to a series of key performance indicators (KPIs), that reflect the service priorities.

The Contract Managers for the contract will assess payment applications and apply a governance structure to the contract.

### **Will you be applying lessons learnt?**

Contractors have been providing this service for three years. During that time, we have learnt how to achieve best value and how to ensure that play equipment is kept to a high standard. There is a break clause in the contract after three years and five years which can be invoked if required.

### **How will you ensure the contracts are robustly managed?**

The contract will be managed by Contract Managers for the north and south of the borough; they will hold monthly contract meetings with the contractor and other relevant Lambeth staff, where an update on inspections, repairs and installations will be required.

Estate Services Contract Managers will carry out pre and post independent inspections on a minimum of 10% of all the sites covered by the contract per year. Additionally, there will also be one independent external inspection of all sites covered by the contract per year.

Achievement of Key Performance Indicators (KPI's), such as the required time to carry out a repair, will be assessed at monthly contract meetings.

There will be a break clause in the contract that can be invoked for non-achievement of KPI's or other consistently poor contract performance.

**Are there any health and safety risks if the work is not carried out?**

Play areas are robust but they require maintenance to ensure that they are kept safe. Safety surfaces need to be kept in good condition to ensure that they meet safety requirements including requirements relating to preventing injury from falls from heights.

**How will work be prioritised?**

This will be through a risk management system, whereby repairs and maintenance of equipment is given a priority rating. The most urgent items will be prioritised.

**How does the procurement of new service contracts affect the services I currently receive?**

There will be no impact to the services you are currently receiving.

**What are the next steps?**

The next step is to consult with you about our intention to procure a new contract. Once the observation period is closed and all observations have been responded to with due regard, Lambeth will proceed with the tender exercise. When the tender exercise is complete and a proposed winning 'bidder' is selected, you will receive a further Section 20 notice detailing why Lambeth would like to enter a contract with this contractor(s).

**Who do I contact about the current service providers?**

Please call our Lambeth Housing Management Contact Centre on 020 7926 6000. This includes emergency repairs outside of normal working hours (including on a bank holiday or weekend).