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Award

## Grounds Maintenance

Tunbridge Wells Borough Council

UK5: Transparency notice - Procurement Act 2023 - [view information about notice types](#)

Notice identifier: 2025/S 000-027935

Procurement identifier (OCID): ocds-h6vhtk-05277c

Published 28 May 2025, 9:35am

## Scope

## Description

Provision of grounds maintenance services in the borough of Tunbridge Wells, including parks, sports fields, cemeteries etc.

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## Contract 1. Grounds Maintenance

## Supplier

- TIVOLI GROUP LIMITED

### **Contract value**

- £4,682,400 excluding VAT
- £5,618,880 including VAT

Above the relevant threshold

### **Earliest date the contract will be signed**

31 December 2026

### **Contract dates (estimated)**

- 1 January 2027 to 31 December 2029
- 3 years

### **Main procurement category**

Services

### **CPV classifications**

- 77314000 - Grounds maintenance services

## Contract locations

- UKJ46 - West Kent

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## Other information

### Conflicts assessment prepared/revised

Yes

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## Procedure

### Procedure type

Direct award

### Direct award justification

Additional or repeat goods, services or works - extension or partial replacement

The Direct Award is being made using the exemption in Schedule 5 Procurement Act 2023 para.19 (3):

(3)The condition in this sub-paragraph is met if, treating the new contract as a modification of the existing contract, the new contract would be a modification of the existing contract of a kind described in-

(a)paragraph 4 of Schedule 8 (unforeseeable circumstances)

Para. 4 of Schedule 8:

4(1)A modification is a permitted modification if-

(a)the circumstances giving rise to the modification could not reasonably have been foreseen by the contracting authority before the award of the contract,

(b)the modification would not change the overall nature of the contract, and

(c)the modification would not increase the estimated value of the contract by more than 50 per cent.

The specific requirements contained in the Government's English Devolution White Paper of 16 December 2024, including the scale / extent and pace of the requirement for Local Government Re-organisation (consisting of the invitation from the Minister for Local Government and English Devolution to submit interim plans by 21 March 2025 and full proposals by 28 November 2025), was not something that a diligent contracting authority could have foreseen.

The re-organisation creates immediate uncertainty in terms of which service areas will be provided by which unitary authorities, how the current administrative boundaries will be affected and how that authority may want to approach ongoing service provision. There is also uncertainty around the timing of changes and the implications (when decision-making powers may be affected including the power to enter into contracts of this nature (without consent)). The contracting authority is therefore reluctant to enter into any long term commitment for this service during this period of uncertainty.

The contracting authority does not consider that an extension of the term would alter the overall nature of the contract as the same services are to be provided on the same terms.

The increase in the estimated value of the contract is less than 50%.

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**Supplier**

**TIVOLI GROUP LIMITED**

- Companies House: 11120774
- Public Procurement Organisation Number: PWGN-4642-HQTX

Nursery Court

Windlesham

GU20 6LQ

United Kingdom

Email: [tenders@tivoliservices.com](mailto:tenders@tivoliservices.com)

Website: <http://www.tivoliservices.com>

Region: UKJ25 - West Surrey

Small or medium-sized enterprise (SME): No

Voluntary, community or social enterprise (VCSE): No

Contract 1. Grounds Maintenance

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## **Contracting authority**

### **Tunbridge Wells Borough Council**

- Public Procurement Organisation Number: PLDX-6964-RZQX

Town Hall, Monson Way

Royal Tunbridge Wells

TN1 1RS

United Kingdom

Email: [procurement@tunbridgewells.gov.uk](mailto:procurement@tunbridgewells.gov.uk)

Region: UKJ46 - West Kent

Organisation type: Public authority - sub-central government