

Report to **South Downs National Park Authority**
Date **20 March 2026**
By **Procurement Manager**
Title of Report **Procurement of Two Contracts: (1) Bridleway Works on the South Downs Way at Alfriston and (2) Cleaning at the South Downs Centre, Midhurst**

Decision

Recommendation: The Authority is recommended to:

- 1. Subject to the receipt of funding from Defra for the Bridleway Works on the South Downs Way at Alfriston:**
 - a. Approve the commencement of a procurement process for the provision of drainage and access improvement works to Bridleway Alfriston 12, forming part of the South Downs Way National Trail, subject to written confirmation of capital funds for Access improvements;**
 - b. Delegate authority to the Chief Executive to award a contract for the works to Bridleway Alfriston 12, following a competitive procurement process carried out under the terms of the Procurement Act 2023;**
- 2. Note the procurement process currently being undertaken, as set out in section 7, for a contract for cleaning services at the South Downs Centre, Midhurst; and,**
- 3. Delegate authority to the Chief Executive to award a three-year (plus one-year optional extension) contract for cleaning services at South Downs Centre, Midhurst, following a competitive procurement process carried out under the terms of the Procurement Act 2023.**

1. Introduction

- 1.1** This report covers two procurement processes: the first for works to Bridleway Alfriston 12 which is on the South Downs Way; and the second for cleaning services for the South Downs Centre, Midhurst.
- 1.2** The Authority is asked to approve the commencement of a procurement process for the works to Bridleway Alfriston 12 and to delegate authority to award the contract to the Chief Executive. The details of this procurement are set out in sections 2-6.
- 1.3** The Authority is also asked to note the procurement process that is being undertaken for the contract for cleaning services. This contract was initially valued as below the threshold for requiring approval by the Policy and Resources Committee and was subsequently put out to tender. However, the value of the bid with the highest score was over the £200k threshold. Therefore, approval is required to award the contract. The details of this procurement are set out in sections 7-9.

- 1.4 These matters would usually be considered by the Policy and Resources Committee, however, due to reasons as set out in the sections 5 and 8 and following discussion with the Chair of the Policy and Resources Committee, this is being presented for approval by the Authority.

Procurement 1: drainage and access improvement works to Bridleway Alfriston 12

2. Background

- 2.1 The SDNPA is the lead partner in the South Downs Way National Trail Partnership (“the Partnership”), coordinating all maintenance and surface repairs on behalf of the Local Highway Authorities. The Partnership is supported with funding from the three local Highway Authorities along the Trail and from Natural England.
- 2.2 A 600-metre section of the South Downs Way (SDW) above Alfriston (Bridleway Alfriston 12 – see **Appendix 1** for location map), has suffered from repeated issues with surface water run-off and erosion, causing difficulties for public users, blocking highway drains and causing flooding of residential roads and private gardens.
- 2.3 This report seeks approval to commence a procurement process for a contract with a likely value of c£270,000, including VAT, to construct upgraded drainage and track surface to mitigate issues caused by frequent storm events, and to delegate authority to the Chief Executive to award the contract following the conclusion of that process.
- 2.4 In 2024 SDNPA commissioned Meridian Engineering to carry out sustainable drainage investigations including infiltration rate testing, topographical surveys, LIDAR data and modelling to inform future designs.
- 2.5 This financial year SDNPA commissioned The Project Centre to take the data and evidence from Meridian Engineering, together with other site constraints including adjacent gas mains to develop a scheme proposal shown in **Appendix 2**.
- 2.6 The scheme proposal has been developed and approved in partnership with East Sussex County Council (“ESCC”) as Highway Authority.

3. Policy Context

- 3.1 Successful completion of this project will help meet the following South Downs National Park Partnership Management Plan 2026-2031 targets:
- Target 2.1a: Reduce net greenhouse gas emissions in the South Downs National Park to net zero by 2040 relative to 1990 levels: Through an expected reduction in repeated track surface repairs.
 - Target 3.2a: All waterbodies within the National Park to achieve “high” or “good” status by 2027: Through a reduction in storm water entering the public drainage system.
 - Target 5.1a: By 2031, 300km (10%) of the National Park’s public Rights of Way network is in good condition and ‘accessible’: Through maintaining a durable smooth surface with no steps or erosion gullies.

4. Options & cost implications

- 4.1 The sustainable drainage solution study and our civil engineers have gone through an optioneering process and have concluded that the proposed scheme will address the key issues and is deliverable within the confines of the public highway.
- 4.2 Project Centre have sought costings for delivering the scheme. The estimate for the scheme is above the £200,000 threshold and in accordance with Contract Standing Orders we therefore ask the SDNPA for approval to proceed with the procurement to appoint a contractor to undertake the works.
- 4.3 The cost of implementing this improvement scheme is beyond the scope of our normal National Trails revenue budget. It is only possible utilising Defra Access Capital funding. Defra has indicated that the SDNPA will be awarded Access Capital funding at the same

level as in 2025/26, although this is not confirmed at time of writing. The procurement of the work is dependent on this funding being confirmed.

- 4.4 The indicative contract value of £270,000 including VAT falls significantly below the threshold set out in the Procurement Act 2023 (“the Act”) for works contracts. The threshold is currently £5,193,000 (inclusive of VAT). The procurement would therefore be treated as a “covered below threshold procurement” under the Act.

5. Procurement Route

- 5.1 Following confirmation of funding from Defra’s Access Capital fund, and with Committee Approval, we intend to commence a procurement process in early April under Contract Standing Orders (CSO 10) inviting tenders from at least five companies. It is intended in this procurement to use an Open Process, advertising this contract on our own e-procurement website and nationally using the Government’s Central Digital Platform. Following the evaluation of tenders, we anticipate awarding the contract by the end of June 2026. This should provide sufficient lead-in time for the successful contractor to commence work at the beginning of September whilst weather conditions remain suitable for completion.
- 5.2 There are tight funding timescales from Defra and the funding must be utilised and delivered within year, however, the funding will not be confirmed until April 2026. There are also seasonal constraints for when this work can be undertaken. Therefore, approval is being sought from the National Park Authority, subject to being awarded the funding, as the next meeting of the P&R Committee is not until June 2026 which would leave insufficient time to deliver the scheme.
- 5.3 If funding is not confirmed from Defra this project would not be undertaken this year.

6. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Commercial Risk: The price objectives are not achieved up front or costs arise during the term of the awarded contract	2	4	A Schedule of Works will be used for suppliers to develop their costed proposals against.
Performance Risk: The supplier fails to deliver the required outcomes over the course of the contract, resulting in delays to the delivery of the path construction works programme.	2	4	Contract management and regular review will be used to monitor performance over the term of the contract. Appropriate remedies will be included in the terms and conditions.
Contractual Risk: Unable to remedy the shortcomings in the contractors’ performance without taking legal action to	2	4	Ensure that the contract contains clear and effective remedies including, potentially, step in rights for the SDNPA, with recovery of costs from the contractor should those rights be exercised.

Risk	Likelihood	Impact	Mitigation
enforce contractual remedies. Unable to avoid relying on the contracted supplier as the contract develops.			Due diligence on the financial and technical ability of the contractor to be carried out.
Legal Risk: In public procurement there is a legal risk where a procurement is found unsound in law.	2	4	This procurement relates to a public works contract below the threshold set by the Procurement Act for full application of the regulations. It is therefore not as strictly governed by the Act and the Authority will have greater flexibility in the procurement process, This will reduce the risk of a breach of the procurement rules but the SDNPA must act fairly and transparently and treat bidders equally in the course of the procurement process.

Procurement 2: Cleaning Contract for South Downs Centre, Midhurst

7. Background

- 7.1 An open procurement exercise is being undertaken for a below-threshold contract which has been published on our own and the Central Digital Platform for cleaning services at the South Downs Centre. The estimated total contract value, including optional extension periods and VAT, was £182,400, which is below the threshold requiring approval by the Policy and Resources Committee for the procurement process and awarding of the contract. The contract is being let for three years and has an option extension clause for a further year. The evaluation has been based on a Most Advantageous Tender of 60% quality split between the approach and resourcing and 40% cost.
- 7.2 Evaluation of the submitted tenders has now been completed. The original valuation was based on the current contract which included an increase for inflation. The supplier achieving the highest overall score submitted a bid with a total value in excess of £200,000 including VAT.

8. Approval Sought

- 8.1 As a result of the above, Member approval is now required to delegate authority to the Chief Executive to award the contract, in line with the Authority’s governance arrangements.
- 8.2 Although the procurement was initiated as a below-threshold process under the Procurement Act 2023, the value of the preferred bid means that the resulting contract constitutes a public contract over the relevant threshold. Legal advice has been sought which has confirmed that the Authority may proceed to award the contract, provided that the appropriate over-threshold requirements in line with the Procurement Act 2023 are followed, including:
 - issuing assessment summaries to bidders;
 - observing the mandatory standstill period; and
 - publishing the required contract award notices.
- 8.3 Usually, this decision would be taken by the Policy and Resources Committee. However, the current cleaning contract expires on 17 April 2026, and the next scheduled meeting of that

Committee is not until June 2026. To avoid a break in service provision, this matter is therefore before the National Park Authority for determination.

9. Risks Associated with the Proposed Decision

Risk	Likelihood	Impact	Mitigation
Commercial Risk: The price objectives are not achieved up front or costs arise during the term of the awarded contract	2	4	A detailed specification of requirements for daily and periodic cleaning will enable the contractor to accurately calculate their costs and price the contract realistically, therefore keeping changes to costs at a minimum.
Performance Risk: The supplier fails to deliver the required outcomes over the course of the contract	2	4	Contract management and regular review will be used to monitor performance over the term of the contract. Appropriate remedies will be included in the terms and conditions.
Contractual Risk: Unable to remedy the shortcomings in the contractors' performance without taking legal action to enforce contractual remedies. Unable to avoid relying on the contracted supplier as the contract develops.	2	4	Ensure that the contract contains clear and effective remedies including, potentially, step in rights for the SDNPA, with recovery of costs from the contractor should those rights be exercised. Due diligence on the financial and technical ability of the contractor to be carried out.
Legal Risk: In public procurement there is a legal risk where a procurement is found unsound in law.	2	4	This procurement relates to a services contract above the threshold set by the Procurement Act for full application of the regulations. It is therefore strictly governed by the Act. Trained procurement staff will ensure that the Act is followed.

10. Other implications

Implication	Yes*/No
Will further decisions be required by another committee/full authority?	No

Implication	Yes*/No
Does the proposal raise any Resource implications?	No. SDNPA has sufficient resources of qualified staff to undertake the procurement process. Following completion of the work to the South Downs Way, annual maintenance is to be undertaken by the residents with private access rights over the bridleway at their own cost.
How does the proposal represent Value for Money?	The competitive tender process is aimed at delivering value for money, through a quality and cost evaluation process.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	The works to the South Downs Way support PMP objectives 2.1a, 3.2a, 5.1a The cleaning contract supports all PMP outcomes, as a key support contract for SDNPA.
Links to other projects or partner organisations	There has been a surface and drainage issue for some time at this location on the South Downs Way and ESCC have not had the resources to address this. The project proposal has been developed and approved in partnership with ESCC as Highway Authority.
How does this decision contribute to the Authority's climate change objectives	The drainage scheme for the South Downs Way will assist in managing increased rainfall events and will also encourage percolation into the bedrock via the filter drain. The specification for the cleaning contract includes a requirement to minimise packaging and the use of recyclable and sustainable cleaning materials.
Are there any Social Value implications arising from the proposal?	The improved surface on the South Downs Way will improve accessibility between Alfriston and the Downs as well as enhance South Downs Way user experience. The new drainage management will help alleviate the issue of surface water run-off to the residents on King's Ride and the Broadway.
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes. The procurement exercise and the terms of the subsequent contract will meet the terms of the Equality Act.
Are there any Human Rights implications arising from the proposal?	No, all due diligence will take place during evaluation of tenders.
Are there any Crime & Disorder implications arising from the proposal?	No, all due diligence will take place during evaluation of tenders.
Are there any Health & Safety implications arising from the proposal?	No, all due diligence will take place during evaluation of tenders.
Are there any Data Protection implications?	No, all due diligence will take place during evaluation of tenders.

HAYLEY MADGWICK

Procurement Manager

South Downs National Park Authority

Contact Officer: Hayley Madgwick

Tel: 01730 819390

Email: Hayley.madgwick@southdowns.gov.uk

Appendices

1. Map showing Bridleway Alfriston 12
2. Scheme Proposal

SDNPA Consultees

Chief Executive; Director of Landscape and Operations; Director of Placemaking; Chief Finance Officer; Monitoring Officer; Legal Services, Head of Finance and Corporate Services

External Consultees

None

