

**TITLE OF REPORT: COUNTRYSIDE MANAGEMENT SERVICE AND GROUNDWORK
HERTFORDSHIRE**

REPORT OF THE HEAD OF LEISURE AND ENVIRONMENTAL SERVICES
PORTFOLIO HOLDER: COUNCILLOR JANE GRAY

1. SUMMARY

- 1.1 To comply with our own procurement rules from April 2015 it was intended that North Hertfordshire District Council (NHDC) enters into a new Hertfordshire County Council (HCC) hosted framework contract for the continued delivery of the functions of the Countryside Management Service (CMS) & Groundwork Hertfordshire. However HCC received no bidders for this contract and currently the CMS is remaining with HCC.
- 1.2 At its meeting of the 24th June 2014 Cabinet resolved at 13.2 *'That, if HCC do not tender out the functions of the CMS and to allow time for the Council to consider future options, the current arrangements remain in place for a further year'*.
- 1.3 The current arrangements with the CMS and Groundwork Hertfordshire have therefore been extended until March 2016 to ensure continuity of service in the short term. The purpose of this report is to consider future options for the delivery of these services from April 2016.
- 1.4 Both CMS and Groundwork Hertfordshire have played a vital role in the delivery of the Councils adopted Green Space Management Strategy. They are currently funded through a Memorandum of Understanding (MOU). Over the past five years the CMS have produced management plans, provided in excess of 30,000 volunteer hours, improved green spaces within our District and secured £320,000 of external investment for North Herts District Council's green spaces. Groundwork have produced plans for our urban green spaces and secured £215,000 in external grants. Through their wider activities they both provide additional community benefits for our residents, as identified in section 7 of this report. CMS is a County Council hosted organisation working with HCC and many of Hertfordshire's District and Borough Councils. Groundwork Hertfordshire is an environmental charity and forms part of the national Groundwork movement.
- 1.5 Section 8 of the report lists the range of options considered. Officers preferred option is to retain the services of the CMS, and in order to comply with the procurement rules tender out the functions currently being provided by Groundwork Hertfordshire.

2. RECOMMENDATIONS

- 2.1 To note the extension of the existing MOU's until March 2016 for the CMS and Groundwork Hertfordshire.
- 2.2 Enter into discussions with HCC to secure a new contractual arrangement for the continued delivery of services provided by the CMS relating to the Councils adopted Green Space Management Strategy 2014 – 2019.

- 2.3 To develop a tender for the delivery of the work programme contained in the Council's adopted Green Space Management Strategy 2014 – 19 for the items of work identified for Groundwork Hertfordshire to undertake.
- 2.4 Cabinet to note the Human Resource Implications listed at section 15.2 in the report 'Any changes to the procurement of services currently provided by the CMS and Groundwork Hertfordshire's arrangements may impact on the resources of this team and this will need to be reviewed based on what is decided'.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To provide a cost effective means that retains the benefits currently achieved by the CMS and Groundwork Hertfordshire in securing options for external funding and volunteer involvement for the delivery of the work programme of the Council's adopted Green Space Management Strategy 2014-19.
- 3.2 To ensure NHDC's procurement of these services are in accordance with NHDC's procurement rules.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Cease or reduce management and enhancement of countryside sites and urban green space. This option would mean the loss of benefits identified in section 1.4 of this report, such as involvement of volunteers and opportunities to attract external funding. This option would have a negative impact on our green spaces. This could also be in direct conflict with the Council's adopted priority for the District of 'Working With Our Communities' and in particular the 'Delivery of identified projects in the Green Space Management Strategy' as one of its agreed actions.
- 4.2 For NHDC to develop its own specification and tender independently for the procurement of services currently provided both by CMS and Groundwork Hertfordshire. However, this option would not have the benefit of scale enjoyed through partnership working with our neighbouring Districts, Boroughs and HCC. It would also be unlikely to secure the wide skills base currently provided by CMS and Groundwork Hertfordshire.
- 4.3 For NHDC to employ its own staff for the delivery of this service. This would require a £38,310 revenue growth bid. It is also considered to be unlikely we would be able to appoint staff with the wide skill base currently being provided by the CMS and Groundwork Hertfordshire.

5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 5.1 The Portfolio Holder for Waste Management, Recycling and the Environment has been updated on the current situation.
- 5.2 Groundwork Hertfordshire have been informed of the need to tender their work.
- 5.3 HCC have consulted with other Officers and Members from other Districts and Boroughs that are likely to be affected.
- 5.4 The Portfolio Holders for Leisure and the Environment have been kept updated on the available options.

6. FORWARD PLAN

6.1 This report was first identified on the Forward Plan in February 2015.

7. BACKGROUND

7.1 Green Space Management Strategy

7.1.1 A stated aim for the delivery of the Council's adopted Green Space Management Strategy is *'to provide a framework in partnership with key stakeholders such as Groundwork Hertfordshire and the Countryside Management Service along with volunteers to deliver improvements and external funding opportunities to green space'*.

7.1.2 Historically to achieve the aims of the strategy NHDC has entered into a Memorandum of Understanding (MOU) with the CMS, and Groundwork Hertfordshire, paying them an annual grant. These MOU's expire on the 31st March 2015.

7.1.3 From April 2015 it was intended to enter into a new HCC hosted framework contract for the continued delivery of the functions of the CMS & Groundwork Hertfordshire. However HCC received no bidders for this contract and for the current time the CMS is remaining with HCC.

7.1.4 In order to continue achieving the aims of the strategy, the existing MOU's for the CMS and Groundwork Hertfordshire have been extended for a period of one year. This will allow time to tender out the functions currently undertaken by Groundwork and to enter into a new contractual arrangement with HCC for works being delivered by the CMS.

7.2 Countryside Management Service

7.2.1 CMS are employed by HCC and are part funded by many of Hertfordshire's District and Borough Councils. At the HCC Cabinet meeting in September 2014, Members agreed to continue funding the CMS at £230K per annum until 2018/19. CMS assist NHDC in the management of our countryside sites and some urban green space, produce management plans, engage with local communities to undertake wildlife and access improvements, establish and enable our Friends of Green space Groups, and lead on an extensive programme of volunteering. They also deliver the Hitchin and Letchworth programme of Hertfordshire Health Walks, coordinating the team of volunteer walk leaders. In addition they secure external grants for capital and revenue works for many of NHDC's urban and countryside sites and have secured more than £5m of national Environmental Stewardship grants for farmers in the district to deliver environmental benefits set out in NHDC's Biodiversity Action Plan. Over the past five years NHDC have provided the CMS with £212K of core funding. In return they have secured £320K of external investment to our sites and generated in excess of 30,000 hours of voluntary work valued at (£50/day) £250,000.

7.3 Groundwork Hertfordshire

7.3.1 Groundwork Hertfordshire are a registered charity. They work with local communities to deliver improvements for urban green space, secure external grants for capital and revenue projects and assist in the delivery of the Councils Green Space Management Strategy. Over the past five years NHDC have provided Groundwork with £96K core funding. In return they have secured £215K of external investment and developed and delivered the Heritage Lottery Fund's action plan for Howard Park & Gardens.

7.3.2 As we now actively direct the work of Groundwork Hertfordshire through a MOU, in order to comply with procurement rules the Council needs to tender for this function on a contractual basis on the open market as soon as is practicably possible.

8. OPTIONS

8.1 As HCC received no bidders for the framework contract for the continued delivery of the functions of the CMS & Groundwork Hertfordshire we need to consider future options. As the CMS are a HCC hosted organisation we could continue to fund and use them. However to comply with our own procurement rules we must tender out the functions currently being provided by Groundwork Hertfordshire due to them being an independent organisation. In view of this there are limited options available to the Council.

8.2 Table 1. below identifies options available to NHDC.

Table 1. Options

No.	Option	Community Impact	Financial Impact
1	NHDC continue to use the CMS by entering into a new contractual arrangement with HCC and develop its own specification and tender independently for the procurement of services currently delivered by Groundwork Hertfordshire.	Would enable NHDC to secure into the future the benefits the CMS provide for the management of our countryside and urban sites and wider communities. NHDC would also retain the benefits of scale through partnership working with our neighbouring Districts, Boroughs and HCC. A Groundwork tender would provide the means for the continued delivery of agreed Action Plans contained in the Councils adopted Green Space Management Strategy. This would also be the least disruptive to current services and ensure that the volunteering and Friends of Groups continue with minimal detrimental impact upon the work that they undertake.	HCC would require a continued annual revenue contribution of £33,290 for the CMS to deliver its core functions in North Hertfordshire. This is contained in existing budgets. The Groundwork contractor would be paid from capital as an agreed tendered percentage of total project cost. Ordered as and when required subject to agreement of annual capital programmes. This would make a £15,050 pa saving on revenue as the Groundwork contractor would receive no core funding.
2	NHDC develop its own specification and tender independently for the procurement of services currently delivered by CMS & Groundwork Hertfordshire	This option would not deliver the benefits of scale through partnership working with our neighbouring Districts, Boroughs and HCC. It would also be unlikely to secure the wide skills base currently provided by CMS & Groundwork Hertfordshire. The impact upon current services would be significant due to the reduced skill base we could draw on for projects in North Herts.	Potential to cost more for a reduced service.

3	NHDC employ additional staff to provide in-house the services which are currently provided by the CMS & Groundwork Hertfordshire.	NHDC would be unable to appoint staff with the wide skill base currently being provided by CMS & Groundwork. This limited skill set would also potentially limit or reduce the value of external funding and also limit the viability and opportunity for volunteering on NHDC sites.	Based on two grade 9 posts NHDC would require an additional £38,310 pa revenue contribution. (Grade 9 post =£43,325 X 2 - £48,340 core funding currently provided to CMS & Groundwork)
4	Cease or reduce management and enhancement of countryside sites and urban green space.	Loss of benefits previously achieved by CMS and Groundwork Hertfordshire. The Councils Green spaces would quickly decline. Could also be in direct conflict with the Council's adopted priority for the district to 'Work With Our Communities' which lists 'Delivery of identified projects in the Green Space Management Strategy'. This could also result in the disbandment of all existing Friends of Groups and volunteering could cease.	Would make a £48,340 pa saving on revenue (combined core funding currently provided to CMS & Groundwork) However could lose £693,400 Section 106 contributions which have been identified for improvements to green space.

8.3 Option 1 in Table 1. is the preferred option for the reasons listed under **Community and Financial Impact** in the table.

9. PREFERRED OPTION

9.1 Countryside Management Service Contract

9.1.1 It is recommended that a new contractual arrangement is entered into with HCC to allow for the continued delivery of services by the CMS on a yearly basis. The existing core funding of £33,290 pa should be retained to fund elements of work which include production of management plans, securing external funding, specifying, tendering and oversight of works, development of and support for Friends of Groups and delivering volunteer tasks. Appendix A gives further details of work in 2014/15 that is being undertaken by the core funding provided to the CMS.

9.2 Groundwork Contract

9.2.1 This contract would be for three years for the delivery of the remaining agreed projects as listed in the Council's Green Space Management Strategy 2014 - 19. This work will include public consultation, developing specifications, securing external funding, tendering works and contract administration of the projects. Currently elements of this work are funded by core funding provided to Groundwork Hertfordshire. These projects will be agreed on an annual basis in accordance with the Council's approved capital programme. It is anticipated that in the future, payments for this element of the work will be funded as a percentage of the capital value of the project. Appendix B gives examples of projects that are included in the Councils Green Space Management Strategy that could be delivered through the new contract.

10. LEGAL IMPLICATIONS

- 10.1 Letting of contracts must comply with the Council's Contract Procurement Rules, Financial Regulations and the UK procurement laws.
- 10.2 The estimated total value of the contract over the 3 year term will determine the available procurement options and the contractual requirements. The Council has a legal obligation to seek best value using a combination of scoring methods under the procurement process and this should be a consideration when developing the procurement strategy and assessing the benefits of collaboration.
- 10.3 Adequate time should be allowed to both plan and run a procurement process.
- 10.4 Contracts above £10,000 should be in a form approved by legal services.
- 10.5 Whilst the existing MOU's for Groundwork Hertfordshire and the CMS can be extended for an additional year, for present purpose in the longer term these need to be replaced by a contractual arrangement to correctly identify and regulate the relationship with the CMS and the winning bidder under a future tender process for the provision of work currently undertaken by Groundwork Hertfordshire.

11. FINANCIAL IMPLICATIONS

- 11.1 Currently, NHDC have MOU's with each of the service providers. Within the MOU the Council commits to paying each of the service providers an annual revenue grant for the delivery of services. Table 2 below identifies the current level of payments being made to each of the two service providers.

Table 2. Current payments

Provider	NHDC Annual contribution 2014/15
CMS	£33,290
Groundwork	£15,050

- 11.2 It is proposed to enter into a new contract with HCC for the services provided by the CMS. Payments would be based on the current level paid under the MOU. In the case of the proposed contract for work currently undertaken by Groundwork it is proposed that payment will be made as a percentage of the capital value of the project. This will make revenue saving of £15,050 pa.
- 11.3 The projects identified in Appendix B of this report have been approved for inclusion in the Council's Green Space Management Strategy. However, the funding for these projects will need to be approved on an annual basis in accordance with the Council's agreed annual capital programme. In view of this the Council can give no commitment that payments will be made for the delivery of these projects. The projects shown should be treated as an indicative programme of works that may or may not take place.

12. RISK IMPLICATIONS

- 12.1 The selected option 1. in Table 1 '*NHDC continue with current arrangements with CMS by entering into a new MOU and develop its own specification and tender independently for the procurement of services currently delivered by Groundwork Hertfordshire*' provides the least risk to the Council for the continued delivery of actions contained in the Green Space Management Strategy.

- 12.2 There is a risk that if NHDC do not continue with the work currently undertaken by the CMS and Groundwork Hertfordshire it could lose external funding opportunities, reduce or lose volunteer involvement, and may not be able to deliver the requirements of the Council's adopted Green Space Management Strategy.
- 12.3 The future of the CMS has been identified as a service risk and is recorded on Covalent, the Council's performance and risk software. The risks identified in connection with the possible loss of the CMS include:
- deterioration in maintenance of a number of open spaces in North Herts
 - loss of future grants to enable future enhancements to take place

13. EQUALITIES IMPLICATIONS

- 13.1 The Equality Act 2010 came into force on the 1st October 2010, and is a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5th April 2011. There is a standard of General Duty that public bodies must meet, underpinned by more specific duties which are designed to help meet this.
- 13.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity and to foster good relations between those who share a protected characteristic and those who do not.
- 13.3 Recent improvements to Green Spaces have made them more accessible to a wider range of the community. For example improvements to Oughtonhead Common now allow increased access for wheelchairs.
- 13.4 Central Government and national groups have expressed the continued importance of public Green Space in the health and well-being of communities. The use of open spaces, parks, playgrounds and relevant leisure facilities are promoted in terms of reducing the impact of obesity on long term health, the importance in the management of wellbeing and in aiding relaxation, as well as 'sensory' enjoyment. Any reduction to the programme of work is likely to reduce scope for future enhancements and the degree of opportunity we have previously had for volunteering, itself a contributor to good health and social wellbeing. When considering which option is to be selected an equality analysis would need to be completed to assess the impacts on various elements of the community as part of the decision making process.

14. SOCIAL VALUE IMPLICATIONS

- 14.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at paragraphs 13. However, once the future options have been considered and NHDC have selected an option, a public service contract may be drawn up to complete the programme of works. If this occurs then a measurement of Social Value would be required, but it would further strengthen the additional benefits, such as opportunities for volunteers, local employment, apprentice schemes, civic pride etc. which the authority would continue to gain from such an arrangement.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Parks & Countryside Section of Leisure & Environmental Services is structured to rely on the CMS and Groundwork Hertfordshire for the delivery of the work programme in the Council's adopted Green Space Management Strategy.

- 15.2 Any changes to the procurement of services currently provided by the CMS and Groundwork Hertfordshire's arrangements may impact on the resources of this team and this will need to be reviewed based on what is decided.

16. APPENDICES

Appendix A - CMS 2014/15 Work Programme.
Appendix B - Green Space Management Strategy Projects.

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Appendix A - CMS 2014/15 Work Programme

Core Funded Elements

Generic Elements

Walks and More – including - walks at Great Ashby, Oughtonhead Common, Norton Common
Friends Group support including delivery of existing GAP's: Ivel Springs, Oughtonhead, Weston Hills, Norton Common, Purwell Meadows, etc
Full access to CMS volunteer training programme.
Delivery of Hertfordshire Health Walks programme, Hitchin and Letchworth.
Land management advisory service.
Reactive advice and support.
Parish Paths Partnership, funding community led improvements to the Rights of Way network.
Contribution to Outlook/NHDC comms.

Additional works

Walsworth Common – Development of GAP (Green Space Action Plans)

Gt Ashby Park and Woodlands – produce consult and agree GAP, to include long term woodland management objectives.

Norton Common –complete extensive wetland improvements programme. Aftercare and establishment works. Celebration events. New GAP for 2015-19.

Ivel springs – GAP renewal. (green flag TBC)

Purwell Meadows – complete implementation of capital works, celebration event.

Oughtonhead Common – complete fen restoration works programme and aftercare. Celebration events. Develop options for Swinburne Ave site adjacent to the common.

Weston Hills – ensure successful continuation of new grazing regime.

Reporting Information

Volunteer hours recorded in North Herts including on NHDC owned sites/Health Walks.
Number of Health Walks led/Number of health walkers participating.

Appendix B - Green Space Management Strategy Projects

Town	Site	Activity	Project value	Year
Hitchin	Cadwell Lane Recreation Ground	Enhance riverside biodiversity	£5,000	2015/16
Hitchin	Butts Close	Historical interpretation	£6,000	2015/16
Letchworth	Grange Recreation Ground	Improvements to entrances & enhance biodiversity	£15,000	2015/16
Baldock	Development belt	New wheeled sports facility	£100,000	2015/16
Letchworth	Norton Common	Enhancements to skate park	£20,000	2015/16
Hitchin	Swinburne Playing Fields	Improved access and Biodiversity.	£30,000	2016/17
Royston	Serby Avenue Recreation Ground	Renovate Play Area	£75,000	2016/17
Hitchin	Walsworth Common	Enhancements to skate park	£20,000	2016/17
Hitchin	Walsworth Common	Completion of hard surfaced car park and improved biodiversity	£30,000	2017/18
Letchworth	Wilbury Recreation Ground	Enhance biodiversity	£3,000	2017/18
Letchworth	Temple Gardens Recreation Ground	Improve accessibility from hostel entrance.	£7,000	2017/18
Royston	Newmarket Road Recreation Ground	Entrance improvements	£5,000	2017/18
Great Ashby	District Park	Improvements to entrances, pathways and woodland planting	£45,000	2017/18
Letchworth	Jackmans Central	Renovate Play Area	£75,000	2017/18
Royston	Newmarket Road Recreation Ground	Enhancements to skate park	£20,000	2017/18

Town	Site	Activity	Project value	Year
Letchworth	Hillbrow Recreation Ground	Entrance and boundary improvements	£30,000	2018/19
Great Ashby	District Park	Renovate Play Area	£75,000	2018/19
Letchworth	Baldock Road Recreation Ground	Enhancements to skate park	£20,000	2018/19