

REPORT TO THE MEETING OF THE EXECUTIVE 22 JULY 2021**PORTFOLIO: ENVIRONMENT AND PLACE****REPORT FROM: ASSISTANT DIRECTOR, PLACE AND ENVIRONMENT****SUBJECT: ‘PARKS FOR NATURE’ INITIATIVE AND DELIVERY OF GROUNDS MAINTENANCE****1 DECISION BEING RECOMMENDED**

- 1.1 That the comments and summary of the public consultation relating to the Parks for Nature initiative be noted.
- 1.2 That the Parks for Nature initiative be rolled out, with change to the grounds maintenance regime, as reflected in the proposal set out in Appendix 1.
- 1.3 That Members approve to deliver grounds maintenance ‘in-house’, commencing in December 2021 (Option 1).

2 KEY DECISIONS DOCUMENT REFERENCE No: 7/21**3 REASON/S FOR RECOMMENDATION**

- 3.1 The Council’s grounds maintenance contract is currently with the LATCo and is due to end in December 2021, following 5 years of service provision. A decision must now be made regarding how the grounds maintenance service will be delivered after December 2021 to allow sufficient time to put in place any changes that may be required.
- 3.2 On 14 April 2021 the Executive noted the proposed Parks for Nature initiative including a planned consultation with the public and Ward Members to be undertaken before any officer recommendation was made.
- 3.3 Following the closure of the consultation period, this report outlines the proposed approach to be taken by the Council in adapting parks and green spaces to help mitigate the impact of climate change. The changes to the management regime of the Council’s open spaces will contribute to corporate targets to make Rochford District Council carbon neutral by 2030, as set out in the Council’s Carbon Neutral Action Plan.

4 PARKS FOR NATURE**Introduction**

- 4.1 Parks and green spaces play a role in mitigating climate change by directly helping to reduce atmospheric carbon dioxide, reducing the impact of extreme weather events, and building more resilient habitats to help sustain species and food production.

- 4.2 The Parks for Nature initiative sets out how management of the Council's parks and green spaces can be improved to mitigate climate change, whilst continuing to fulfil the key role that parks play in recreation, social cohesion and promoting health and well-being.
- 4.3 Parks for Nature identifies the following options where the Council's open spaces could be improved:
- a. Tree and Woodlands – The planting of shelter belts, orchards, and creation of dead wood habitat piles.
 - b. Relaxed Mowing – Reduction of grass cutting to allow semi-natural conditions and increase height of grass sward with some left for overwintering shelter for insects and bugs.
 - c. Cemetery Maintenance – Creating a mosaic of grass heights around the historic parts of Rayleigh Cemetery and closed graveyards, to allow wildflowers to bloom.
 - d. Ponds and Wetlands – The creation of ponds and areas of flooding.

Planning for Consultation

- 4.4 A draft 'plan on a page' has been developed for each of the Council's parks and open spaces. These plans aim to capture key information and developments at a site level and illustrate the proposed management changes at each site.
- 4.5 The plans have been developed in consultation with the respective Ward Members for each open space, and the Portfolio Holder for Place and Environment. Members were invited to attend a site meeting with officers to identify potential changes to the management of each open space and to develop the proposed 'plan on a page' for that site. All Ward Members also received a copy of the plans on which to pass comment if they were unable to attend.
- 4.6 Following approval by the Portfolio Holder for Place and Environment, the draft plans were circulated and promoted for public consultation to seek further comments and views from members of the public.
- 4.7 A public questionnaire was launched for a 4-week period in May/June 2021 and elicited 330 responses. The consultation sought views from residents on the Council's parks and green spaces, what is liked and what could be done differently.

Key Findings from the Consultation

- 4.8 Nature over Neat - Residents indicated repeatedly that they prefer spaces to be managed for wildlife and biodiversity over neat and tidy spaces. They also

showed strong support for re-wilding, tree planting, mowing grass verges less frequently and more meadows in parks.

Community priorities - Generally residents were satisfied with the amount of resource being spent on different maintenance activities; however, residents indicated that more time and money could be spent on:

- Tree Planting
- Nature conservation and biodiversity
- Litter clearing

4.9 Advice on how resources could be redistributed was inconclusive, suggesting that a site-by-site approach may be more appropriate for applying feedback.

Proposals to be taken forward from the Consultation

4.10 All site visits have now been undertaken and taking into account the views and comments of residents and Members, the site plans are now completed and appended to this report for consideration (Appendix 1).

4.11 In summary, the changes in management would result in a significant change in the types of habitats found with the open spaces.

	Now	Parks for Nature
Formal Grass	127ha	84ha
Relaxed Mowing	n/a	32ha
Hay Cuts	11.5 ha	11.5ha
Tree Planting	n/a	10ha
Orchard	n/a	TBC
Wetland	n/a	1ha

4.12 The quantifying of management regimes needed to maintain the Council's open spaces allows the calculation of the resources needed to deliver the Parks for Nature initiative, recognising that the current LATCo contract arrangement needs to be revisited and assessed against the proposed changes.

4.13 The feedback indicates that an increased level of public engagement and interpretative signage will be required to explain the Parks for Nature approach and that engagement with the public is key to the project's success. This will be incorporated into the calculation of resources, with the creation of

a new Community Ranger role viewed as critical to the overall success of this initiative.

- 4.14 It is important to note that litter picking currently undertaken in mown areas will still continue as part of the Council's normal operations. Additionally, the open spaces will continue to receive regular maintenance and that the overall impression of any site should still be one of cleanliness and tidiness. Officers are aware that the project involves working with natural processes that can be affected by weather conditions and that ongoing flexibility in the management of this project will be required.

5 GROUNDS MAINTENANCE CONTRACT

- 5.1 The current contract with the LATCo to maintain the Council's open spaces is due to terminate in December 2021 and has a value of £430,850 per annum. If this arrangement was to continue, the specification for the contract would need to be re-written to reflect the new Parks for Nature approach and would require fewer staff to deliver.
- 5.2 In addition, following the decision of the Executive on February 2021 the litter picking aspects of the current contract will be removed from the scope of the open spaces contract and will instead be provided as part of the new waste contract going forward. There is a potential gap in service between the new waste contract commencing in July 2022 and the termination of the existing contract arrangements in December 2021. As an interim solution the current waste and street cleansing contractor, Suez, have indicated they are willing to deliver the cleansing aspect of the existing grounds maintenance contract at a comparable cost to that stated in the consultant's report.
- 5.3 In recognition of the operational flexibility required to deliver Parks for Nature, officers have sought to understand the impact that a reduced grounds maintenance contract would have on the LATCo's commercial operating model (and by extrapolation, on any commercial operating model for a private sector grounds maintenance company) and compared this to an in-house operating model. The following paragraphs set out a high-level analysis of the two potential operating models for delivering Parks for Nature 1) in-house; or, 2) via the LATCo.

Option 1 – Deliver Parks for Nature in-House

Staffing Considerations

- 5.4 Officers have prepared a Bill of Quantities in preparation for the new grounds maintenance contract and this has provided the basis for estimating the level of staffing required to deliver the grounds maintenance operations as approximately 7,000 hours of labour. This is the equivalent of four full-time posts, once annual leave has been deducted.
- 5.5 However, the workload profile identifies a peak of staff resources through the summer months due to grass cutting albeit in line with the Parks for Nature

initiative. This need for additional capacity can be met through redeployment of the existing 'tree-team' whose peak demand is in the winter months.

- 5.6 The operating model assumes that four grounds maintenance operatives, plus a new Community Park Ranger would be employed. They would be based initially at the South Street depot, with a plan to move into the Hockley Woods depot. Sickness, annual leave and peak seasonal demand would be covered through use of other operative staff within the Woodlands & Open Spaces teams.
- 5.7 The additional management and supervision requirements for managing the new staff and the change in functions of the rest of the team would be absorbed within the existing supervisory duties of the Woodlands & Open Spaces team, in particular the Principal Open Spaces Officer, whose time at present is split between managing the Open Spaces Team and LATCo staff.
- 5.8 Implementation of an in-house option would require a restructure of the existing Woodlands & Open Spaces team, completion of the required staff consultation, staff induction and training and the purchase/hire of the necessary plant and equipment.
- 5.9 Staff grades have not been formally evaluated at this stage but are based upon similar posts within the authority. Staff would be appointed by 1 December 2021 to allow time for training and induction.
- 5.10 No issues emerge from the TUPE process in terms of costings – (access to TUPE details relating to GGT staff would suggest there aren't any pension or working arrangements that would represent a difficulty.)

Capital Expenditure Considerations

- 5.11 In order to provide an in-house service, capital expenditure totalling £54,000 would be required in the first year. An appropriate increase in the Council's revenue contribution to capital budget is included in the costings, to allow for the depreciation of this equipment over five years.
- 5.12 Further equipment required to operate would be secured through a lease-hire arrangement. When considering the purchase of such equipment, lease-hire provided a comparable price to that of outright purchase if estimated maintenance costs are taken into account. The lease-hire costs are based on the current arrangements used by the LATCo. All equipment currently used by the LATCo is leased and so there would be no automatic right for the Council to take over the lease contracts (should it desire to do so) although if it is beneficial to do this, then that option can be explored as part of the transfer process.
- 5.13 Equipment costs are estimates and will be subject to the normal procurement process of obtaining competitive quotes and looking to available framework agreements.

- 5.14 Vehicle leasing costs, fuel and equipment, tools and materials are based on the current LATCo costs and forecast to rise annually in line with inflation (2% per annum).

Option 2 – Deliver Parks for Nature via LATCo

- 5.15 The level of resourcing required to deliver Parks for Nature would be less than that required to deliver the existing contract and accordingly, any price for any contract commissioned from the LATCo would be adjusted accordingly. Using the current specification for the existing contract the Council has estimated the costs which would be required for the LATCo to deliver Parks for Nature. At present, the majority of LATCo staff are employed upon temporary fixed-term contracts, TUPE would not be applicable in this situation and therefore provision for redundancies is not required.
- 5.16 The level of resourcing required would be greater than that of the in-house equivalent, with a need to create a Team Leader post that would oversee day to day management of the LATCo staff, back-fill annual leave and sickness, and represent some additional capacity at peak growing season.
- 5.17 The contract price costings have been derived from the existing grounds maintenance contract and for the revised bill of quantities for the Council's open spaces reflecting 'parks for nature'.

Summary of Comparative Costs

	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	Total £
Option 1 - In-house Delivery	306,525	279,044	284,313	289,687	295,169	1,454,738
Option 2 - LATCO	383,995	383,779	391,359	399,090	406,976	1,965,199
<i>Additional Cost for LATCO Option</i>	77,470	104,735	107,046	109,403	111,807	510,461

- 5.18 The above demonstrates that when comparing Option 1 (delivering Parks for Nature in-house); to Option 2 (delivering Parks for Nature via the LATCo) Option 1 delivers a total saving in excess of £500,000 over a 5-year period.
- 5.19 The greater cost of the LATCo option can be attributed to how the LATCo operates as a stand-alone company, with supervisory, insurance and other overheads becoming proportionally greater as the contract size, and resource required, reduces under the Parks for Nature model. These overhead costs will be proportionately less if the contract is brought in-house, delivering greater value for money in service delivery.

5.20 The risks and opportunities arising from each of the two options are summarised in the table below.

	Opportunities	Risks
Option 1: Deliver Parks for Nature in- house	The restriction of the open spaces team to incorporate the grounds maintenance function delivers an approximate saving of £40,000 per year in comparison to the LATCo	TUPE will apply to staff currently employed by the LATCo. Consequently, there is a level of financial risk until the current terms and conditions of employment have been confirmed. (see below).
	Without the constraint of a contract there is greater flexibility in how resources are used, which can be matched to changing priorities.	Bringing a service back in house will require a longer lead in time, in comparison to the LATCo, due to LATCo being already established.
	Ability to develop the Council brand with greater accountability and increased visibility	Risk of 'budget creep' with flexibility of in-house option resulting in accommodating additional work.
	Ability to develop staff competencies and control quality of service on a day to day basis.	
	Knowledge and expertise is developed to ensure long-term business continuity and the success of the Parks for Nature initiative.	
Option 2: Deliver Parks for Nature via the LATCo		
	Training and Development, management support and HR costs are with the contractor. However, this increases the overheads of the company, the cost of which is passed back to the Council and the Council is relegated to contract management role	The small size of the LATCo team would represent a high risk in terms of business continuity, with little capacity to absorb potential sickness, leave or change in the demand for service.
	Able to be relatively confident that a given standard will be achieved for a set cost although reputational impact of operating a LATCo means that the Council can never fully pass the risk across	The change in specification isn't fully understood or delivered by the LATCo which jeopardises the success of the Parks for Nature initiative.

6 ALTERNATIVE OPTIONS CONSIDERED

- 6.1 An alternative option is to not undertake the required changes to the grounds maintenance contract to deliver the 'Parks for Nature' initiative. This option would then require the Council to either: enter into discussions with the LATCo to agree and set a new contract price for undertaking the existing grounds maintenance regime; or to consider a new procurement exercise should the Council be minded to revisit the tender and award to an external contractor; or, to bring the existing arrangements in-house. It should be noted that, should the Council wish to award to an external contractor, it would take approximately 9 to 12 months to complete a procurement process. With the existing LATCo contract due to end in four months, interim arrangements would also be required in this scenario.

7 RISK IMPLICATIONS

- 7.1 Implementation of the Parks for Nature initiative will result in significant changes to the existing grounds maintenance regime that will be obviously visible to the users of the open spaces.
- 7.2 Where management regimes are relaxed there is a reputational risk to the Council that such changes are perceived by residents as due to negligence, rather than by design. It will be imperative that new signage is erected at each site to enforce the brand message. This will be further enforced through a communications plan, building upon the communication that has already been undertaken through the consultation process. The creation of a Park Ranger role will also play a critical role in undertaking community engagement and participation within each site.
- 7.3 The provision of shorter grass amenity areas and mowed desire lines will be a consideration at each site but may be adapted in response to public use of the site. Therefore, the amount of resource to manage each site may need to be reviewed and adjusted. It is proposed that any arrangements to deliver the initiative are based upon a specific level of resource, rather than specific outcomes to allow the requisite flexibility.

8 ENVIRONMENTAL IMPLICATIONS

- 8.1 There are, as previously stated in the February Executive 2021 report, clear wildlife benefits to the scheme, with the change to the management regime creating an additional 10ha of woodland and 32 ha of relaxed mowing. These habitats represent a haven for wildlife, particularly overwintering insects and seed feeding birds.
- 8.2 The Woodland Trust states that a hectare of young woodland can absorb in the region of 400 tonnes of carbon over its lifetime. As identified in the Council's Carbon Neutral 2030 Action Plan, the 10 ha of new planting will contribute towards offsetting carbon levels as the Council seeks to achieve carbon neutrality by 2030.

- 8.3 It is anticipated that the relaxed management regime will also reduce fuel consumption by vehicles engaged in open space management. It is, however, too early to provide a definitive figure at this time.

9 RESOURCE IMPLICATIONS

- 9.1 The current grounds maintenance contract is delivered at a direct annual cost to the Council of £430,850, with a recharge for management, support services and premises costs of £61,500, giving a net budget for 2021/22 of £369,350.

- 9.2 The proposed Parks for Nature initiative should achieve savings of around £100,000 per annum for the Council (excluding any one-off costs such as redundancy in the first year) compared to the current net budget, if the option to deliver in-house is agreed.

- 9.3 It should be noted that there will be other financial implications associated with the unwinding of the LATCo, if this option is agreed. These will need to be considered in more detail in a separate report to the Executive.

10 LEGAL IMPLICATIONS

- 10.1 The Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) will apply and the Council will need to ensure that it complies with its requirements. The winding up of the LATCo will be dependent on the assets and liabilities the company holds and can be voluntarily wound up.

11 EQUALITY AND DIVERSITY IMPLICATIONS

- 11.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

LT Lead Officer Signature:  _____

Assistant Director, Place & Environment

Background Papers:-

None.

For further information please contact Marcus Hotten (Assistant Director, Place & Environment) on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.

APPENDIX 1 – Parks for Nature Management Regime

Key

Orange	Formal Grass Cutting
Green	Tree Planting
Purple	Conservation/Meadow Area
Blue	Wetland Creation
Yellow	Mown Footpath/Desire Line
Off-White	Sports Pitch

Downhall & Rawreth Ward

1. Rawreth Recreation Ground



2. Rayleigh Leisure Centre



3. Sweyne Park Open Space



Foulness & The Wakerings Ward

4. Great Wakering Recreation Ground



5. The Parry – Little Wakering



Hawkwell West Ward

6. Clements Hall Recreation Ground



7. Hawkwell Common



Hockley Ward

8. Land behind Westminster Drive



Hockley & Ashingdon Ward

9. Ashingdon Recreation Ground



10. Malvern Road



Hullbridge Ward

11. Hullbridge Open Space



12. Ferndale Public Open Space

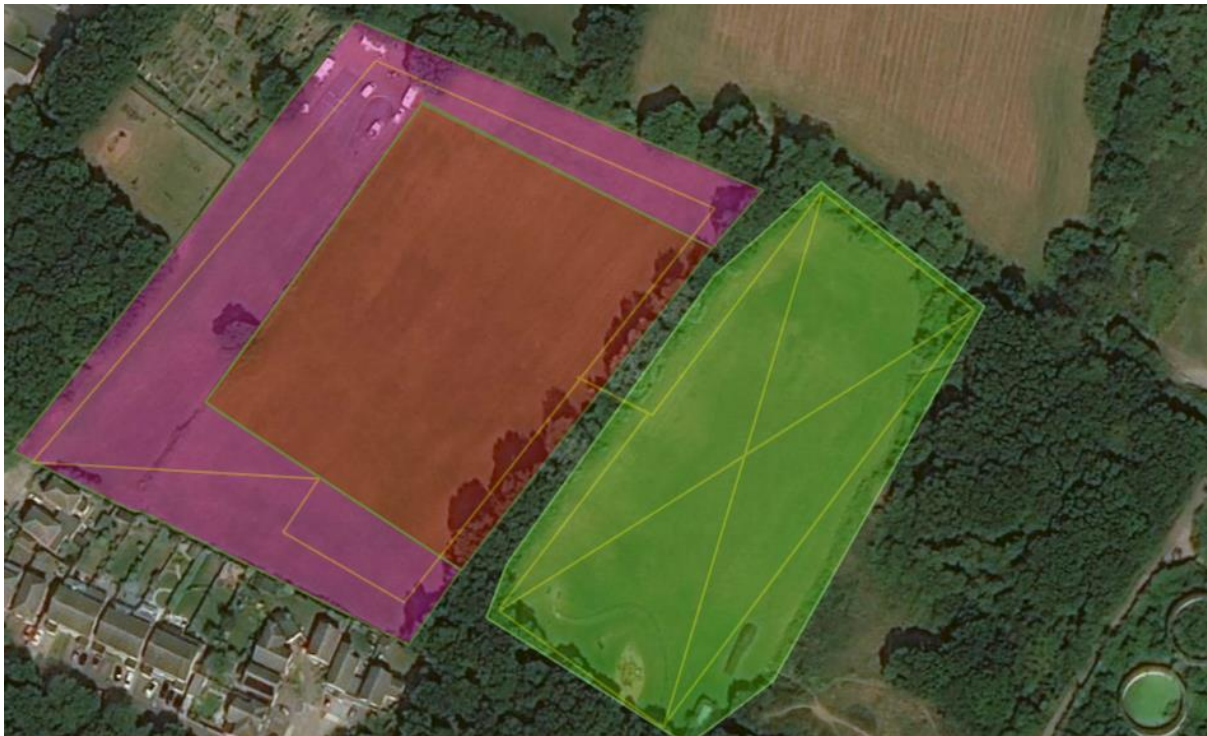


Lodge Ward

13. Copford Green



14. Grove Woods Recreation Ground.



15. Woodlands Buffer Strip



Roche North & Rural

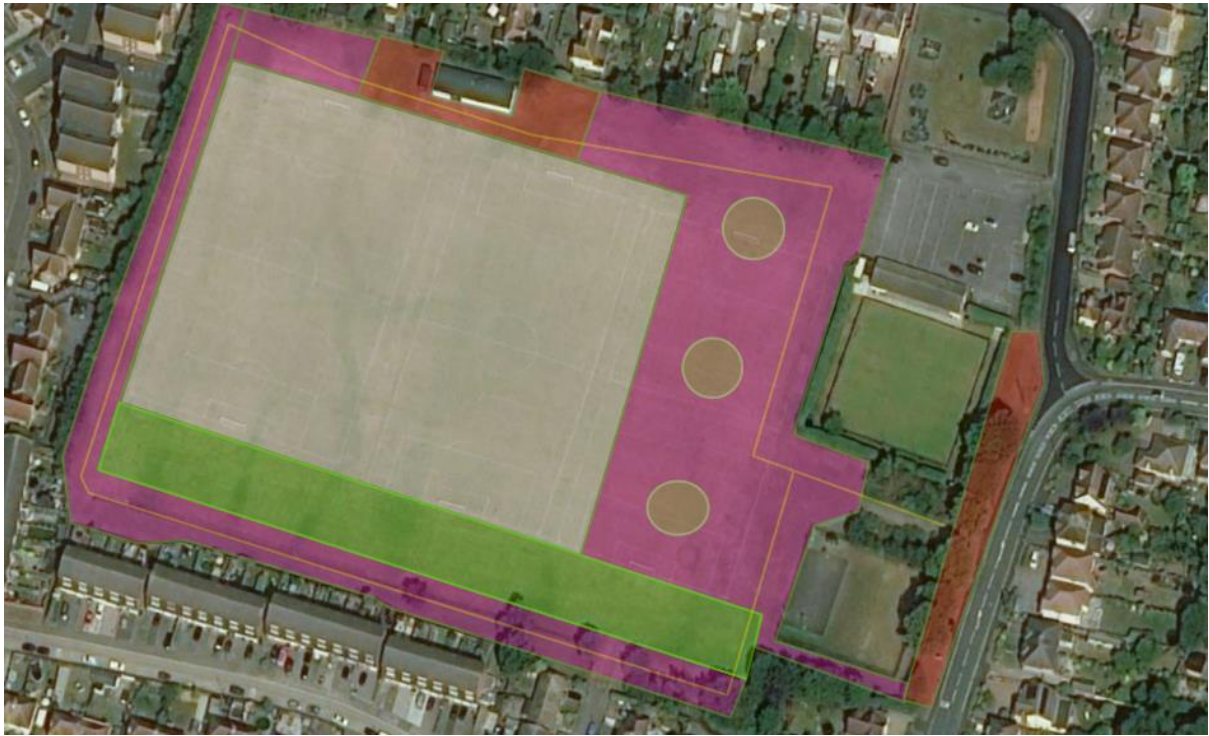
16. Canewdon Recreation Ground



17. Canewdon Green



18. Rochford Recreation Ground



Roche South

19. Millview Meadows



20. Rochford Reservoir Open Space



Sweyne & Grange

21. John Fisher Recreation Ground



Trinity Ward

22. Causton Way



23. Fairview Recreation Ground



24. Lower Lambricks Open Space



25. Turret Open Space



Wheatley Ward

26. Bedford Close



27. Brooklands Open Space



28. Hollytree Gardens Open Space



29. Kingley Wood

