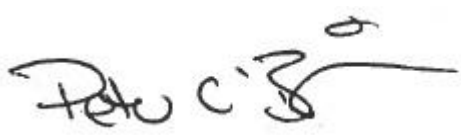


**Haringey Council**  
**Written Statement/Record of a decision made by an officer under delegated authority**

<b>Decision Maker (Post Title)</b>	Assistant Director of Regeneration and Economic Development
<b>Subject of the decision</b>	Award of a Contract under Contract Standing Order (CSO) 9.07.1, to renew the interim 12-month contract for ecological management services for the Paddock Enhancement Project with a waiver of procurement (under CSO 8.03).
<b>Date of decision</b>	27/10/2021
<b>Decision</b>	<p>The Assistant Director of Regeneration and Economic Development is requested to:</p> <ol style="list-style-type: none"> <li>1. Waive Contract Standing Order (CSO) 8.03 (requirement to obtain at least three competitive quotations) as permitted by CSO 10.01.2(d); and to approve the implementation of CSO 9.07.1c and award a contract for ecological management services and community engagement and outreach services for the Paddock Enhancement Project to The Conservation Volunteers. The contract value is £72,000.</li> <li>2. Note the recommendation to include this item on the Forward Plan for a Cabinet Decision on Agreement to Lease in 2022 – to replace this proposed 12-month interim contract upon its completion on 31<sup>st</sup> Oct 2022.</li> </ol>
<b>Reasons for the decision</b>	See Section 4 of the report.
<b>Details of any alternative options considered and rejected by the officer when making the decision</b>	<p><b>Not extending the contract</b></p> <p>The current interim contract for site management would expire on 31st October 2021, and the Council would lose the momentum of the positive work undertaken in partnership with TCV to date. TCV would be unable to continue site management activities, and this would also affect the delivery of community engagement activities. An alternative</p>

	<p>provider would need to be secured to continue to deliver the project aims, leading to delays and the potential loss of momentum and goodwill in relation to community engagement.</p> <p><b>Offering a shorter contract extension</b> A shorter extension, e.g. 6 months or 9 months, risks creating uncertainty for TCV and affecting the planning of activity programmes and longer-term financing options. The renewal of the 12-month interim contract provides time for the Agreement to Lease proposals to be developed and put before Cabinet in the Spring of 2022, and for the transition to any new service specifications in Autumn 2022.</p> <p><b>Offering a longer management contract</b> The Paddock project budget has an allowance for 3.5 years of development funding for site management and community engagement. It was envisaged that this would cover a 1-year interim contract, with the remainder drawn down during the Agreement to Lease period, with TCV's activities being self-financing on the site by the time the Lease was completed. This time period remains the same with the Lease proposed to complete in 2024, but the preferred option extends the interim arrangement prior to the Agreement to Lease being entered, to allow for greater certainty that TCV are performing well against their KPIs before a Cabinet decision is taken.</p> <p><b>Open procurement</b> TCV has performed well over the course of the current interim contract, and the Council's intention is to continue the current working arrangements to allow sufficient time for a decision to be taken to Cabinet and an Agreement to Lease to be enacted.</p>
<p><b><u>Conflicts of interest – Executive decisions</u></b></p> <p>Details of any conflict of interest declared by a Cabinet Member who is consulted by the officer which relates to the decision and details of dispensation granted by the Council's Head of Paid Service</p>	N/A
<p><b><u>Conflicts of interest – Non executive decisions</u></b></p> <p>Where the decision is taken under an express delegation e.g. by a Committee, the name of any Member who declared a</p>	N/A

conflict of interest in relation to this matter at the committee meeting,	
<p>Title of any document(s), including reports, considered by the officer and relevant to the above decision or where only part of the report is relevant to the above decision, that part)</p> <p>These documents need to be attached to the copy of this record/statement kept by the Authority but must not be published if they contain exempt information</p>	<ul style="list-style-type: none"> <li>• Brief for ecological management services</li> <li>• KPIs related to the delivery of the service</li> <li>• Proposed funding structure</li> </ul>
<p>Reasons for exemption with reference to categories of exemption specified overleaf or</p> <p>Reason why decision is confidential (see overleaf)</p> <p>Decisions containing exempt or confidential information falling within the categories specified overleaf are not required to be published.</p>	<p>Appendices to be exempt from publishing due to information relating to the financial or business affairs of any person (including the authority holding that information).</p>
Signature of Decision Maker	
Name of Decision Maker	Peter O'Brien, Assistant Director Regeneration and Economic Development
<p>Does the decision need to be published</p> <p>Yes <input checked="checked" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	

### Exempt Information

#### Local Government Act 1972 Schedule 12A

#### Part 1: Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any person (including the authority holding that information).
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter

arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes -
  - (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Note:** It is insufficient to simply identify a category of exemption, you must also conduct a public interest test on the basis specified in the Act as follows:  
Information falling within categories 1-7 is exempt if and so long as in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Confidential Decisions**

1. The decision contains information provided by a Government department on a non disclosure basis
2. There is a Court order against disclosure

## DECISION REPORT

**Not for Publication by virtue of paragraph 3 and paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972**

This document is **not for publication** as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding the information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

**Report for** Peter O'Brien, Assistant Director of Regeneration and Economic Development

**Item number:** N/A

**Title:** Waiver of Contract Standing Order (CSO) 8.03 and Award of Contract under Contract Standing Order (CSO) 9.07.1c, for Paddock Ecological Management Services

**Report authorised by:** Toussainte Reba, Head of Area Regeneration

**Lead Officer:** Sorwar Ahmed, Principal Regeneration Officer, Tottenham Hale

**Ward(s) affected:** Tottenham Hale

**Report for Key/  
Non Key Decision:** Non-Key Decision

### **1. Describe the issue under consideration**

The implementation of Contract Standing Order 9.07.1c (which provides that a Director may award, assign, or novate contracts valued less than £250,000) for the award of a Contract for an interim 12-month contract for Ecological Management Services for the Paddock Enhancement Project, with a waiver of procurement (under CSO 8.03). The contract is with The Conservation Volunteers and the contract value is £72,000.

The contract will renew the current interim contract with The Conservation Volunteers, in order to deliver the ongoing management of the Paddock as part of the Paddock Enhancement Project. A decision will be taken to Cabinet in Spring

2022 for an Agreement to Lease which will be enacted upon expiry of this proposed 12-month contract.

## 2. Cabinet Member Introduction

N/A

## 3. Recommendations

3.1 The Assistant Director of Regeneration and Economic Development is recommended to:

- i) Waive Contract Standing Order (CSO) 8.03 (requirement to obtain at least three competitive quotations) as permitted by CSO 10.01.2d; and to approve the implementation of CSO 9.07.1c. and award a 12-month interim contract for ecological management, community engagement and outreach services for the Paddock Enhancement Project to The Conservation Volunteers. The contract value is £72,000.
- ii) Note the recommendation to include this item on the Forward Plan for a Cabinet Decision on Agreement to Lease in 2022 – to replace this proposed 12-month interim contract upon its completion on 31<sup>st</sup> Oct 2022.

## 4. Reasons for decision

- 4.1 Awarding a further 12-month interim management contract to The Conservation Volunteers (TCV) would ensure continuity of service and would maintain the momentum built up with local communities while the Council considers the approach to the long-term management of the Paddock (using an Agreement to Lease approach utilised by Parks in similar schemes).
- 4.2 Place Board endorsed the Agreement to Lease approach on 20<sup>th</sup> May 2020, and supported a 12-month interim management contract to test the approach. Due to the impact of the Covid-19 pandemic on the development of community volunteering as a key management tool for the Paddock, Tottenham Hale Steering Group (22<sup>nd</sup> February 2021) supported a preferred approach of extending TCV's interim contract for a further 12 months, followed by a Cabinet decision on the Agreement to Lease model.
- 4.3 TCV have been managing the Paddock for 12 months and have successfully delivered the existing interim contract for ecological management services, building up a volunteer network and delivering community outreach and volunteering events, despite a delayed start on site due to Covid-19 restrictions. This includes delivering 92 volunteering sessions, involving 559

volunteers, 76 primary school pupils attending school sessions, engaging 56 people in educational walks/talks, 61 people in activity sessions, and generating the equivalent value of £14,650 through volunteering activity. They have also developed a draft 21-year management plan identifying the use of volunteers and external funding to enhance the Paddock's ecology incrementally and achieve Local Nature Reserve status.

- 4.4 TCV have already successfully tendered for a 12-month contract on this site, from 2020-2021. Their existing contract for ecological management services (value of £72,000) was secured through a competitive procurement process, and expires on 31<sup>st</sup> October 2021. A separate contract for community engagement activities (value of £21,000) was commissioned on 2<sup>nd</sup> April 2020, and this expires on 30<sup>th</sup> March 2022. This further ecological management contract is intended to bridge a gap to allow the Council sufficient time to take a decision to Cabinet for a long-term lease arrangement to TCV.
- 4.5 The Council does not have the expertise or capacity to deliver these ecological management, community engagement and volunteering services in-house should there be a gap in service while alternative providers are sought.
- 4.6 There are financial implications to delaying the appointment of an ecological management services provider, as the Council would need to divert resources from other services to the management of this site. There are likely to be increased security costs should the site remain unstaffed, as there is a risk of vandalism to the existing site buildings and of anti-social behaviour becoming established in the Paddock again. Management of the site would also be compromised, requiring remedial works to be undertaken.
- 4.7 As part of the contract renewal, TCV's KPIs have been reviewed and they have also proposed to combine the current community engagement activities into the overall contract, once the separate commission referred to in 4.4 above concludes in March 2022 creating an efficiency in the overall contract management approach.

## **5. Alternative options considered and rejected**

### **5.1 Not extending the contract**

The current interim contract for site management would expire on 31st October 2021, and the Council would lose the momentum of the positive work undertaken in partnership with TCV to date. TCV would be unable to continue their site management activities, meaning that the specialist management of habitats, vegetation management, maintenance of public access and provision of information would cease. This would also affect the delivery of established community engagement activities, as the programme would become untenable without a more regular staff presence on site to develop volunteer activities

and manage volunteer events. The momentum achieved in developing a network of volunteers and delivering ecological management activities would be lost, and pathways into volunteering and paid work would be closed off. An alternative provider would need to be secured to continue to deliver the project aims, leading to delays and the potential loss of momentum and goodwill in relation to community engagement.

#### 5.2 Offering a shorter contract extension

A shorter extension, e.g. 6 months or 9 months, risks creating uncertainty for TCV and affecting the planning of activity programmes and development of longer-term financing options. The renewal of the 12-month interim contract provides time for the Agreement to Lease proposals to be developed and put before Cabinet in the Spring of 2022, and for the transition to any new service specifications in the Autumn 2022.

#### 5.3 Offering a longer management contract

The Paddock project budget has an allowance for 3.5 years of development funding for site management and community engagement. It was envisaged that this would cover a 1- year interim contract, with the remainder drawn down during the Agreement to Lease period, with TCV's activities being self-financing on the site by the time the Lease was completed. This time period remains the same with the Lease proposed to complete in 2024, but the preferred is option extends the interim arrangement prior to the Agreement to Lease being entered, to allow for greater certainty that TCV are performing well against their KPIs before a Cabinet decision is taken.

#### 5.4 Open procurement

TCV has performed well over the course of the current interim contract, and the Council's intention is to continue the current working arrangements to allow sufficient time for a decision to be taken to Cabinet and an Agreement to Lease to be enacted.

### 6 Background Information

#### **The Paddock – commissioning of site management services**

- 6.1 The Paddock Enhancement project is a core project identified as part of the Borough Plan (2019-23) and the regeneration programme at Tottenham Hale. The adopted regeneration framework comprises the 2014 Tottenham Strategic Regeneration Framework (SRF), 2017 Tottenham Area Action Plan (AAP) and the 2015 Tottenham Hale District Centre Framework (DCF).



- 6.2 The overall approach to the Paddock Enhancement Project combines management of the site with physical improvements to protect and enhance the habitat of the community nature reserve, whilst improving public access and enjoyment of the site.
- 6.3 Following initial scoping of management options (i.e. in-house or through partnership arrangements) and soft market testing with external organisations, officers recommended an approach of granting a long-term lease of the site to a management partner at a peppercorn rent, together with start-up funding to establish the management plan and deliver community volunteering. This model could reduce the indicative project budget from £3.5m to £2.6m, by using volunteering to deliver incremental interventions to enhance habitat rather than a single, major soft landscaping contract as proposed in the project PID. Thereafter the site would be self-funding, with the external partner raising funding through external sources.
- 6.4 On 20<sup>th</sup> May 2020 this approach was endorsed by Place Board, which agreed to defer a Cabinet decision on the long-term lease arrangements due to the impact of the Covid-19 pandemic causing the suspension of all community and stakeholder engagement. The Board agreed to the letting of a 12-month interim management contract to an external partner to test the concept and bridge the gap to a Cabinet decision.
- 6.5 Subsequently, TCV was appointed in October 2020 following a competitive process, to deliver ecological management services on the site for 12 months. This contract provided two full-time staff members for a fee of £72,000 to deliver management services and volunteer co-ordination on the site. This interim contract is due to expire on 31<sup>st</sup> October 2021. An additional £21,000 was agreed for targeted community and schools engagement for 12 months, although due to the pandemic the commencement of this contract was deferred until April 2021. This second contract is now due to expire on 30<sup>th</sup> March 2022.
- 6.6 The interim 12-month management contract with TCV was originally intended as a bridge to a permanent arrangement coming into effect. On 10<sup>th</sup> February 2021 Tottenham Hale Steering Group agreed that TCV was an appropriate long-term management partner for the Paddock and that an Agreement to Lease model would be appropriate and would support wider Parks objectives around community partnerships. However, as TCV had not yet been able to build a widespread local resident network at the Paddock or fully engage local Ward Councillors in their work due to the impact of Covid-19, it was agreed that TCV should be offered an extension to their current 12-month interim management contract when this expires at 31<sup>st</sup> October 2021. This would require a Delegated Authority Report for a direct award of contract.

- 6.7 It was further agreed that, subject to the lifting of Covid 19 restrictions and satisfactory community engagement by TCV, a Cabinet decision on the Agreement to Lease should then be taken in Spring 2022, with the lease then completing in April 2024 following monitoring of performance and progress towards self-funding targets. The Agreement to Lease would include the balance of the start-up funding up to March 2024, covering both the management element and engagement element.
- 6.8 The budget for the start-up funding for the project is £315,000 between April 2020 and March 2024. The funding breakdown between the current interim management contract, proposed new interim contract, separate community engagement contract and uncommitted start-up funds is shown below.

Funding breakdown – per package	Year 1 Interim Mgmt Oct '20 to Oct '21	Year 1 Engagement Apr 21 – Mar 22	Year 2 Interim Combined Nov 21 – Oct 22	Agreement to Lease Nov 22 – DATE '24	Total
TCV development funding	72,000	21,000	72,000	138,000	303,000
<b>Total</b>	<b>72,000</b>	<b>21,000</b>	<b>72,000</b>	<b>138,000</b>	<b>303,000</b>

#### Proposed interim site management contract

- 6.9 Based on the feedback at Tottenham Hale Steering Group in February 2021, it is proposed to extend TCV's interim site management contract for a further 12 months, from 1<sup>st</sup> Nov.2021 to 31<sup>st</sup> October 2022, at a cost of £72,000.
- 6.10 Following a review of the current contract and future arrangements with TCV, it is proposed that the separate community engagement contract (£21,000 per annum) be integrated into the management contract once the current 12-month engagement contract expires in March 2022. This would be a more efficient use of staff resources for the project, as the general engagement programme can be assimilated into the site management activities undertaken by the site team while the monthly schools programme will continue to be delivered by the engagement team. All existing delivery elements would continue.
- 6.11 It is proposed that:

- i) a new interim management contract for £72,000 be offered to TCV as a direct award from 1<sup>st</sup> Nov.2021 to 31<sup>st</sup> Oct.2022. This would incorporate the elements of the current community engagement contract after it expires in March 2022.

### **Proposed long-term management approach**

6.12 Based on the feedback at Tottenham Hale Steering Group in February 2021, it is proposed that:

- i) A proposal is taken to Cabinet in Spring 2022 for a decision to enter an Agreement to Lease, extending the ecological management/engagement services contract from 1<sup>st</sup> Nov.2022 to 31<sup>st</sup> September 2024.
- ii) Completion of a long-term lease in April 2024, subject to satisfactory performance of the management contract and achievement of KPIs, including the securing of match-funding.

## **7 Contribution to strategic outcomes**

7.1 The Paddock Enhancement Project addresses the following Borough Plan (2019-23) Priorities:

### **7.2 Priority 2 – People**

‘Our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.’

The project will support all adults to live healthy and fulfilling lives, with dignity, staying active and connected in their communities by providing improved opportunities to access green and open space, experience nature, and connect with others in community activity and volunteering.

### **7.3 Priority 3 – Place**

‘Our vision is for a place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green.’

The project will create a safer, more accessible and attractive place, providing opportunities to improve health and wellbeing through access to green and open space and nature.

7.4 The Paddock project also supports delivery of the 2020 Good Economy Recovery Plan, which emphasises the heightened need for residents to have safe and welcoming spaces to enjoy, play, exercise and socialise in response

to Covid-19 and makes a specific commitment to delivering this via greenspace investment in Tottenham Hale.

## **8 Statutory Officers comments**

### **8.1 Finance comment**

The recommendation in this report is for the AD for Regeneration and Economic Development to Waive Contract Standing Order (CSO) 8.03 (requirement to obtain at least three competitive quotations) as permitted by CSO 10.01.2d; and to approve the implementation of CSO 9.07.1c. and award a 12-month interim contract for ecological management, community engagement and outreach services for the Paddock Enhancement Project to The Conservation Volunteers. The contract value is £72,000.

Note the recommendation to include this item on the Forward Plan for a Cabinet Decision on Agreement to Lease in 2022 – to replace this proposed 12-month interim contract upon its completion on 31st Oct 2022.

The funding for this project is met for Capital programme from Tottenham Hale Green Space Scheme.

### **8.2 SSC**

The SSC notes the contents of the report and has no objections to the recommendations laid out at section 3 of the report under 9.07.1c. The SSC believes it meets the necessary criteria for waiver. Therefore, on this occasion the SSC has no objections to the report against clause 8.03 as allowed under CSO clause 10.01.2.

## **9 Use of Appendices**

Appendix 1: Service specification for the ecological management services

Appendix 2: Schedule of KPIs to be monitored through the delivery of the contract

Appendix 3: Proposed funding structure for the Ecological Management Service contract.

## **10 Local Government (Access to Information) Act 1985**

### **Categories of Exemption**

Exempt information means information falling within the following categories:

## Part 1

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed upon a person; or (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

## Part 2

Qualifications to the above exempt information:

(a) Information falling within paragraph 3 above is not exempt information under that paragraph if it is required under – (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 – 1978 (e) the Building Societies Act 1986 (f) The Charities Act 1993.

(b) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

(c) Information which – (i) falls within any of paragraphs 1-7 above; and (ii) is not prevented from being exempt under (a) or (b) above is exempt information if and so long as, in the opinion of the Monitoring Officer, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.