

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

Decision Maker (Post Title)	Anna Blandford, Assistant Director of Regeneration and Economic Development
Subject of the decision	Approve a waiver of procurement under CSO 8.03 and contract award for provision of Ecological Management Services at the Paddock, Tottenham Hale.
Date of decision	20 December 2023
Decision	Waive Contract Standing Order (CSO) 8.03 and award a contract for Ecological Management Services for the Paddock to The Conservation Volunteers, for up to 12 years. The contract is valued at £102,000 of development funding, after which the site will be managed on a self-funding basis.
Reasons for the decision	<p>TCV have been a strategic partner for the Council for over 20 years and brought significant investment into the borough. The Council appointed TCV as a management partner for The Paddock in Oct 2020 and signalled an intent to partner with them on the long-term management of the site.</p> <p>The proposed management model adopted a spend to save approach, equipping TCV to operate on site on a self-financing basis in the longer term.</p> <p>The Council has invested £201,000 to date in development funding for TCV to help establish them on site and develop their user and volunteer base.</p> <p>Since 2020, TCV have proven their ability to manage The Paddock to a high standard, deliver community engagement outcomes, develop an effective volunteer base and achieve the performance criteria set for them.</p> <p>TCV's input has been central to the development of long-term plans for The</p>

	<p>Paddock. Awarding the balance of the development funding to TCV would ensure continuity of service and would maintain the momentum built up with local communities.</p>
<p>Details of any alternative options considered and rejected by the officer when making the decision</p>	<p>As set out in Section 5 of the report with further commentary, options include:</p> <ol style="list-style-type: none"> 1. Council assuming management of the Paddock. This option was not considered because; <ul style="list-style-type: none"> • The Council does not have the expertise or capacity to deliver these ecological management, community engagement and volunteering services in-house. • TCV have demonstrated significant added value, and significant investment has already been made in TCV at The Paddock. • Any change to these arrangements would not represent value for money for the Council. 2. Offering a further interim management contract. This was not considered because; <ul style="list-style-type: none"> • The project budget has an allowance for 3.5 years of development funding, although the initial instalment was offered through an interim contract. • In order to fundraise effectively, TCV require security of tenure on site. Any further extension of interim arrangements would make it more challenging for TCV to maintain capacity and meet the objective of becoming self-financing by 2025. 3. Going out to open procurement for a management partner. This was not considered because; <ul style="list-style-type: none"> • TCV were the only party to bid for the management contract when an open procurement exercise was run in June 2020. • The self-financing model is not compatible with the operating models of other comparable organisations, who have been engaged in soft-market testing.

	<ul style="list-style-type: none"> • Given TCV’s excellent performance at The Paddock, the specialist nature of the site management requirements, and the investment made to date, a further procurement exercise is not proposed. <p>4. The award of the TCV contract is the preferred option as it is in the Council’s interest and will deliver value for money.</p>
<p><u>Conflicts of interest – Executive decisions</u></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>	None
<p><u>Conflicts of interest – Non executive decisions</u></p> <p>Where the decision is taken under an express delegation e.g. by a Committee, the name of any Member who declared a conflict of interest in relation to this matter at the committee meeting,</p>	None
<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"> • TCV Paddock Management Agreement • The Paddock 21-Year Management Plan • The Conservation Volunteers’ Paddock Business Plan
<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>	Appendix 3 The Paddock Business Plan to be exempt from publishing due to commercial sensitivity.
Signature of Decision Maker	

Name of Decision Maker	Anna Blandford, Assistant Director of Regeneration & Economic Development
<p>Does the decision need to be published</p> <p>Yes <input 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

Report for Anna Blandford, Assistant Director of Regeneration and Economic Development.

Item number: N/A

Title: Approval of waiver and contract award for the provision of ecological management services at The Paddock, Tottenham Hale (with a waiver of procurement under CSO 8.03)

Report authorised by: Emily Read, Tottenham Hale Lead
Simon Farrow, Head of Parks and Leisure

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

1.1 The Paddock Enhancement Programme was launched in 2019 with an overall vision to deliver comprehensive restoration and improvement to The Paddock to create:

- A new Local Nature Reserve in Tottenham Hale;
- A new destination in the Lee Valley; and
- An important site for wildlife and biodiversity where Tottenham's residents can engage with and learn about the natural environment and the history of the waterways.

1.2 The overall approach to the project combines the introduction of a carefully-considered management regime for the site with sensitive physical improvements to address actual and perceived safety concerns; provide inclusive access; and encourage more local residents to visit and enjoy the site, while also protecting habitat and enhancing the natural landscape.

- 1.3 The Council appointed The Conservation Volunteers (TCV) in October 2020 to undertake ecological management services at The Paddock, with an agreed £309,000 of development funding for up to 3.5 years after which TCV would manage the site on a self-financing basis for the term of a lease (agreed to be 12 years).
- 1.4 This decision is to grant the final instalment of development funding alongside a 12-year management contract to TCV. A subsequent decision will be taken to grant a lease for 12 years to TCV.

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) to award a contract for ecological management services for The Paddock to The Conservation Volunteers, for up to 12-years period. The contract value is for £102,000 of development funding.

4. Reasons for decision

- 4.1 TCV have been a strategic partner of the Council for over 20 years. For the last ten years TCV have brought significant investment into the borough in terms of volunteering input and external funding to match fund the support received from the Council. Although it varies by years, in broad terms for every £1 invested by the Council TCV have delivered £1 of volunteering and £1 of match funding, in effect tripling the Council's investment. TCV directly manage Railway Fields Local Nature Reserve in Green Lanes on a similar leased basis as is being proposed for The Paddock.
- 4.2 The decision in October 2020 to appoint TCV as the Council's management partner established the Council's intent to partner with them on the long-term management of the site. Over the period that they have been incumbent on the site, TCV have proven their ability to manage The Paddock to a high standard and achieve the performance criteria set for them.
- 4.3 The Council has invested £201,000 in development funding already through interim contracts (with a further £102,000 committed in the project budget) to help establish TCV on the site and enable them to develop their user-base and profile. This was part of the initial management model to ensure that they are equipped to operate the site on a self-financing basis in the longer term. This was a spend to save approach, as TCV's approach of using volunteers to manage elements of the site has reduced the original project budget for capital works by an estimated £0.9m (see section 6.6). The proposed funding of £102,000 would deliver a saving of £6,000 on the overall development funding

budget of £309,000, due to TCV having achieved savings by incorporating separate community engagement activities into the management contract at the last contract renewal.

4.4 TCV's input has been central to the development of long-term plans for The Paddock, and they have successfully delivered against their interim contract KPIs despite a delayed start on site due to Covid-19 restrictions. Awarding the balance of the development funding to TCV would ensure continuity of service and would maintain the momentum built up with local communities. This would complete the process that has been underway with TCV since 2020.

5. Alternative options considered and rejected

5.1 Council Assumes Management

The Council does not have the expertise or capacity to deliver these ecological management, community engagement and volunteering services in-house. Through 20 years of partnership working, TCV has demonstrated significant added value to nature conservation work in the borough that either the Council could not replicate or would have to pay out significantly more money to achieve the same outcomes. A significant investment has already been made in supporting TCV to become established on the site in order to relieve the Council of the burden of long-term management fees for the site. Any change to these arrangements and return to Council management would not represent value for money for the Council due to associated training and development, resourcing and ongoing management costs.

5.2 Offering a further interim 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 annually, with TCV's activities being self-financing on the site by the end of 2024. In order to fundraise effectively, TCV require security of tenure on the site. Any further extension of these interim arrangements would make it more challenging for TCV to meet the objective of a self-financing site by 2025.

5.3 Open procurement

An open procurement process was run in June 2020 with TCV the only party to submit a bid. The self-financing model proposed was not compatible with the operating models for other comparable organisations such as Groundwork or London Wildlife Trust, who advised in preliminary discussions with the Council that they would require a significant endowment to take on this site, which the Council was not in a position to consider.

TCV have performed excellently under their current contract and are already incumbent on the site. Given the specialist nature of the site management requirements, the investment made in TCV to date and them having established themselves in the local area, no further procurement exercise is proposed.

6 Background Information

- 6.1 The Paddock is a community nature park in the east of the borough which has suffered from a lack of active site management over a number of years. Issues of fly-tipping (including hazardous materials), significant invasive species colonisation and anti-social behaviour have deterred many people from using the site.
- 6.2 As a key asset identified in the Parks and Greenspaces Strategy (July 2023), the Tottenham Hale District Centre Framework (2015) and its supporting Green and Open Spaces Strategy (2016), The Paddock has an important role to play in meeting the needs of the area's growing community. Proposals for extensive improvements to The Paddock form part of the Green and Open Spaces capital delivery programme for Tottenham Hale. As set out in Section 7, these improvements to The Paddock will help to address multiple items on the Corporate Delivery Plan (January 2023) as well as the manifesto commitment of creating three new Nature Reserves in the Borough by 2026.
- 6.3 The effective and long-term management of The Paddock requires specialisms which the Council does not offer in-house. Therefore, the principle of securing a management partner for the site was established at the outset of The Paddock Enhancement Programme (a joint initiative between the Council's Regeneration and Parks services) through the approved Project Initiation Document (PID, 2019).
- 6.4 In August 2019 the Council commenced a process to select a management partner for The Paddock. This comprised early soft market testing with three of the leading parties with a proven track record of managing sites of a similar nature: The Conservation Volunteers (TCV); London Wildlife Trust and Groundwork, as well as an assessment of the Council's capacity to undertake site management in-house.
- 6.5 This soft market testing identified two operational and funding models:
1. The payment of a large endowment (circa £2-3m) to a management partner to establish and operate the site on a long-term basis (this cost could not be accommodated by the Council)
 2. The payment of a more modest development fund to support the establishment of the management partner on the site. Thereafter the site would be sustained by the partner's fundraising and volunteering activities.
- 6.6 The second model was more viable for the Council, and was shown to actually reduce the project budget by an estimated £0.9m by using volunteering to deliver incremental interventions to enhance the habitat rather than a single major soft landscaping contract as previously envisaged. This approach is undertaken by TCV currently at their successful Railway Fields site.
- 6.7 On 20th May 2020 the Council established the principle of granting a long-term lease of the site to a suitable and experienced management partner at a peppercorn rent, together with start-up funding to establish the management plan and deliver community volunteering. This was based on option 2 in para 6.5 above. It was further proposed, due to the impact of the pandemic on on-site activities, that a 12-month interim management contract should be awarded to the external partner as a precursor to granting the longer-term Lease.

6.8 TCV was awarded the interim 12-month site management contract for £72,000, following a competitive process in June 2020 run via the Volunteering Framework of the Council's Dynamic Purchasing System (DPS). 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.

6.9 This decision represented a long-term investment for the Council in establishing TCV on the site as our selected Management Partner with a view to enabling them to develop their capacity to manage the site long-term: a spend-to-save decision for the Council. This accords with the 2019 PID which stated a requirement for a 'decision on the preferred [management] option / preferred partner at an early stage to ensure that they are involved in design development and decision making throughout the project.'

6.10 In Oct 2021 a renewal of TCV's 12-month management contract for £72,000 was granted in order to allow more time for them to demonstrate their performance against the KPIs set for them at the outset. This reflected the curtailment of their on-site activities during the pandemic, in order to adhere to restrictions imposed by the National Lockdowns.

6.11 All of TCV's activities thereafter have been focused on the long-term management of the site, including:

- Building a strong and positive working relationship with Friends of The Paddock
- Undertaking incremental repair and management of the site
- Working alongside The Paddock design team, Land Use Consultants, to shape the emerging design proposals for the long-term improvements to The Paddock
- Building a strong volunteer base to work with them on improvements to The Paddock, including working with the Council to target under-represented groups to ensure that the volunteers and users are more representative of the local demographic
- Development of a 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.

6.12 TCV's current Management Contract expired in October 2022 and the Council has been progressing arrangements for a long-term management plan since that date. The initial part of this period coincided with site restrictions related to the preliminary phase of capital works (Japanese Knotweed removal and land remediation), which meant that TCV were less active on-site between Nov 2022 and April 2023. During this period, TCV focused on off-site community engagement in the Tottenham Hale area and online engagement activities. This work was delivered under TCV's borough-wide contract with the Parks Service, funded by the Paddock project to the value of £36,000.

6.13 TCV have successfully delivered against the KPIs in their interim management contracts for ecological management services, building up a volunteer network and delivering community outreach and volunteering events. Outputs delivered between Oct.2020 – Aug.2023 include:

- 1,860 volunteers involved in 277 volunteering sessions
- £45,150 monetary value of volunteering
- 622 primary school pupils attended 28 school sessions
- 138 people engaged in 16 educational walks/talks
- 167 people engaged in 17 dedicated activity sessions.

6.14 With the completion of the preliminary capital works in May 2023, and TCV's performance having met all their KPIs and in some cases exceeding them, the recommendation is now to award a contract for the ongoing management The Paddock and simultaneously grant a lease to TCV to secure management arrangements for the site over the next 12 years.

7 Contribution to strategic outcomes

7.1 This project, and the decision to grant a Lease to TCV, will address the following Corporate Delivery Plan key themes:

7.1.1 **Resident experience, collaboration and participation**, through developing new partnerships between the Council, our residents and the voluntary and community sector. The role of the Friends Group has been central in shaping the project to reflect local needs, as well as other local groups who have attended volunteering in the Paddock and have physically participated in delivering physical improvements.

7.1.2 **Climate emergency**: through creating one of three new nature reserves in the priority area of the east of the Borough, protecting and enhancing this important site for nature, for the benefit of generations of residents to come.

7.1.3 **Children and young people**: through measures to increase education and address health inequalities by engaging Tottenham Hale's younger residents in activities and encouraging more people to use and engage with the green network in the area.

7.1.4 **Adults, health and welfare**: 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.

7.1.5 **Placemaking and economy**: 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.

7.2 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 comments

This report seeks approval for the award of a waiver contract for £102,000 to TCV in relation to Ecological Management Services at the Paddock.

Of the £2,529,000 capital budget provision for The Paddock project, approximately £1,202,000 has been spent to date leaving a remaining balance of £1,327,000.

The full cost of this proposal will be fully met from the current council capital programme under capital scheme reference number: 401: Tottenham Hale Green Spaces.

8.2 Procurement comments

The SSC notes the request for a waiver of Contract Procedure Rules (CPR) clause 8.03 as allowed under CPR clause 10.01.2. The SSC has no objection to the proposed waiver in accordance with CPR clause 10.01.2 on this occasion.

9 Use of Appendices

Appendix 1: TCV/Haringey Council Paddock Management Agreement

Appendix 2: The Paddock 21-year Management Plan

Appendix 3: TCV's Paddock Business Plan

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.