

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Cabinet

1 August 2017

TITLE:	Proposal for the future management of Moorlands Countryside Sites
EXECUTIVE COUNCILLOR:	Councillor Mike Bowen – Cabinet Member for Communities, Leisure, Sport, Parks, Countryside & Communities
CONTACT OFFICER:	Nicola Kemp – Operations Manager (Contracts)
WARDS:	All Wards

1. Reason for the Report:

- 1.1 To advise the Cabinet of the proposals to secure the future management arrangements of the Moorlands countryside sites.

2. Recommendation

- 2.1 That Cabinet approves the future management of the countryside sites via an arrangement with Staffordshire Wildlife Trust (SWT), based upon the heads of terms as detailed within this report, subject to discussions to take place with interested parties relating to Biddulph Grange Country Park.

3. Executive Summary

- 3.1 SMDC manages twelve countryside sites within the district. These are:
- Biddulph Grange Country Park
 - Ladderedge Country Park
 - Wetley Moor Common SSSI
 - Brough Park Fields LNR
 - Marshes Hill Common LNR and SBI
 - Cecily Brook LNR
 - Hales Hall Pool LNR
 - Whitemoor LNR
 - Hoften's Cross LNR and SBI

- Leekbrook Line
- Biddulph Valley Way
- Newpool Meadows

3.2 The provision of country parks is a discretionary service provided by SMDC. With the current efficiency agenda, the Council needs to consider alternative ways of delivering the same or better service, and ensure such services add value.

3.2 The Council has a Corporate Plan Priority Action to “Identify and implement an approach to reduce the cost of country parks”. In 2016-17 the management of our countryside parks cost £113,594. The Council’s Medium Term Financial Plan (MTFP) is predicated on achieving a saving against the countryside management costs.

3.3 Following a review of available options in regards to the future delivery of management at our countryside sites, Officers have identified that the transfer of management at these sites to one provider, the Staffordshire Wildlife Trust (SWT) is the most suitable and therefore recommended option. In transferring management to this specialist provider, financial savings of approximately £50,494 are anticipated per annum, thus meeting the Councils desire to reduce the cost of our country parks. This excludes all costs associated with the water level monitoring at Hales Hall, Cheadle. As SWT are an organisation committed to securing the best outcomes for people and wildlife this creates an opportunity to secure at least as good a service as provided by the Council at a reduced cost to the Council and thus taxpayer.

3.4 This proposal is caveated in a few key respects as the ownership of some of these sites does not fully lie with SMDC i.e. Wetley Moor, Biddulph Valley Way and Marshes Hill Common. Discussions will need to be undertaken with the joint or sole landowners to determine if the transfer of management is affordable and agreeable for all parties.

3.5 The report was considered by the Service Delivery Overview and Scrutiny Panel on 5 July 2017. This recommended that Cabinet not make any decision relating to Biddulph Grange Country Park until a meeting is arranged between Friends of Biddulph Grange Country Park, SMDC, representatives of Biddulph Town Council and the relevant Portfolio Holder. The outcome from this meeting should be reported at the next Cabinet meeting.

4. How this report links to Corporate Priorities

4.1 Protecting and Improving the Environment - The Council wishes to ensure provision of quality parks and open spaces. High quality open space encourages healthier lifestyles and ensures the area has an image as one in which it is a good to live and conduct business. Countryside sites are therefore an important service area in supporting overall Corporate Objectives as well as encouraging environmental sustainability and biodiversity.

4.2 Meeting financial challenges and providing value for money - The management and maintenance of the countryside sites does have an impact on Council resources. In this case, the Council has identified an alternative option for service delivery, which will reduce the long term resource implications and ensure value for money whilst at the same time protecting and, perhaps even enhancing, the value of the sites in both wildlife and public attraction terms.

5. Options

5.1 Officers have explored alternative service delivery options for the management of its countryside sites, which meets the current financial challenges and provides value for money, whilst still providing quality parks and open spaces.

5.2 Four options were initially considered in regards to the future management at our countryside sites, these being:

1. Service to remain under Council management but with £40k savings target achieved.
2. Transfer management of all sites to one specialist provider i.e. SWT
3. Transfer management of sites on a site by site basis to multiple providers.
4. Establish a private sector partnership

5.3 In regards to option 1, a review of operational efficiencies and different ways of working has been undertaken in recent years reducing the spend considerably. It is not believed that further operational savings can be achieved whilst the services remain in the control of this Authority without compromising the level of management undertaken at the sites.

5.4 Officers met with the National Trust who had shown initial interest in Biddulph Grange Country Park due to its location neighbouring the Biddulph Grange Gardens Estate which they own and manage. This interest has since been withdrawn. Unfortunately no interest has been determined in regards to the management of any other countryside sites.

5.5 The option to establish a private sector partnership was discounted as a result of the anticipated increased costs that this option would generate and risks associated with a lack of experience a new partner could have in regards to the specialist and sensitive management required.

5.6 Of the initial four options only option 2, as the stated preference of this O&S Panel, has been deemed suitable to meet the needs of the Council in regards to reducing the financial burden associated with the Councils direct management of these sites, whilst ensuring nature and habitat conservation is of a paramount consideration by the service provider.

- 5.7 As a result, discussions with SWT which commenced in early 2016 have continued positively. Officers from both organisations have now developed a set of Heads of Terms in regards to the future service delivery of management of the Moorlands Countryside Sites; these are detailed further at 9.7.

6. Implications

- 6.1 Community Safety - (Crime and Disorder Act 1998)
None.
- 6.2 Workforce
As detailed within the report.
- 6.3 Equality and Diversity/Equality Impact Assessment
This report has been prepared in accordance with the Council's Diversity and Equality Policies.
- 6.4 Financial Considerations
As detailed within the report.
- 6.5 Legal
There will be legal implications in regards to the proposed future management options, with the need for an operating agreement to be developed between SMDC and the SWT.
- 6.6 Sustainability
Sustainability considerations have been embedded in the proposed future management option due to the nature of service being provided.
- 6.7 Internal and External Consultation
Internal consultation was undertaken during the service review in 2015-16. Some, limited, external consultation has been undertaken to establish potential partners.
- 6.8 Risk Assessment
Risks will be mitigated through the development of the operating agreement detailing the service to be provided by SWT at our countryside sites.

Keith Parker
Head of Operational Services

Background Papers

Operational Services Emerging Findings Report
16.3.16 Review of the management of Countryside Sites (Service Delivery O & S report)

Location

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7. Background

7.1 SMDC currently has responsibility for the management of 12 countryside sites, two of which are designated as Country Parks, 6 as Local Nature Reserves (LNR), one as a Site of Special Scientific Interest (SSSI) and two Sites of Biological Interest (SBI). These are as follows:

- Biddulph Grange Country Park
- Ladderedge Country Park
- Wetley Moor Common SSSI
- Brough Park Fields LNR
- Marshes Hill Common LNR and SBI
- Cecily Brook LNR
- Hales Hall Pool LNR
- Whitemoor LNR
- Hoften's Cross LNR and SBI
- Leekbrook Line
- Biddulph Valley Way
- Newpool Meadows

7.2 The management of these sites has traditionally been distinct from that of the Council's other parks and open spaces, being delivered through a small team of Countryside Officers and previously a Countryside Ranger.

7.3 Following the Operational Services Service Review undertaken in 2015, two Client Officers now have responsibility for the day to day management of all twelve the sites, equating to 1.5 full time equivalent (FTE) post.

7.4 Overall spend on countryside park management for the last three years is detailed in the table below. Spend consists of salary costs of the dedicated Officers, the cost of responsive and routine management, less income generated or received from a variety of sources. Spend on this service has reduced significantly in recent years as a result of reviewing operational practices.

	2016-17	2015-16	2014-15
Total spend	£113,594	£113,205	£136,395

7.5 An annual countryside maintenance budget is allocated to all the sites, and management and maintenance work is prioritised through site-specific management plans, work programmes and regular inspection regimes. Such

works are undertaken by the Client Officers themselves or sub contracted through procurement processes to ensure best value is achieved.

- 7.6 For the majority of sites, ownership lies solely with the Council. The exceptions are Wetley Moor Common where the ownership is shared with Stoke City Council (SoTCC), the Biddulph Valley Way and Newpool Meadow which is shared with Staffordshire County Council (SCC), and Marshes Hill Common owned entirely by Brown Edge Parish Council.
- 7.7 With regard to the management of the Biddulph Valley Way, SMDC has a lease with SCC for the section owned by them, to undertake the maintenance so the site is managed holistically; a £3,000 contribution is paid for works related to this agreement.

8. Wetley Moor

- 8.1 Wetley Moor currently presents a set of additional complexities when searching for a more financially sustainable solution to the management of the sites as a whole. Governance of Wetley Moor Common is through a legal agreement between SoTCC and SMDC, which established the Wetley Moor Joint Committee. Representatives of this Committee are the Portfolio Holders of both Councils.
- 8.2 The Common has a separate management and maintenance budget from the other countryside sites. This is derived from income generated from the lease of plots for residential use or small holdings on the site. The management of this site is split between this Council which is responsible for the management and maintenance of the Site of Special Scientific Interest (SSSI), and the City Council who are responsible for the legal and estates management aspects of the site including the collection of rents.
- 8.3 In addition to rental income, Wetley Moor benefits from a Higher Level Stewardship Agreement which provides funding on an annual basis from Natural England, solely for the management of the SSSI. This funding, which totals £172,345, is for a 10 year period from 2011 to 2021.
- 8.4 It is acknowledged the estates management of the site is not as robust as would be ideal due to resource and capacity issues within SoTCC, who face the same austerity impacts as this Council. Officer level conversations with SoTCC have confirmed they would be willing to support us in achieving a more sustainable management option for the site, via transfer of their share of the freehold to this Council and a contribution towards third party land agency costs.

9. Future management proposals

- 9.1 As was reported to this Committee on the 16th March 2016, four possible options available to the Council have been considered in regards to the future management of its countryside sites, these being:
1. Service to remain under Council management but with a minimum of £40k savings target achieved.
 2. Transfer management of all sites to one specialist provider i.e. SWT
 3. Transfer management of sites on a site by site basis to multiple providers.
 4. Establish a private sector partnership
- 9.2 In regards to option 1, a review of operational efficiencies and different ways of working has been undertaken in recent years, reducing spend on this service area. It is not believed that any further or significant operational savings can be achieved whilst the services remain in the control of this Authority without compromising the level of management undertaken at the sites.
- 9.3 Officers met with the National Trust who had shown an initial interest in Biddulph Grange Country Park due to its location neighbouring the Biddulph Grange Gardens Estate which they own and manage. This interest has since been withdrawn by the National Trust. Unfortunately no further interest has been determined in regards to the management of any other sites.
- 9.4 The option to establish a private sector partnership has been discounted as a result of the anticipated increased costs that this option would generate, and risks associated with a lack of experience in regards to the management of countryside parks.
- 9.5 Of the initial four options, it is believed that only option 2 will meet the needs of the Council in regards to reducing the financial burden associated with the Councils direct management of these sites, whilst ensuring nature and habitat conservation is of a paramount consideration by the service provider.
- 9.6 As a result, discussions with the SWT which commenced in early 2016 have continued, Officers from SOTCC have also been engaged in this process. Officers from SMDC and SWT have now developed a set of Heads of Terms in regards to the proposed future service delivery of management of the Moorlands Countryside Sites. These Heads of Terms are as follows:
- SWT to provide maintenance and management at the countryside sites detailed in this report in accordance with any site management plans and funding obligations, whilst aiming to improve nature conservation, increase community liaison and participation whilst maintaining the green flag status at Ladderedge Country Park,
 - that the arrangement be on the basis of an initial 30 year lease, including future options to renew/extend the term,
 - the arrangements would be based on a £60,000 per annum grant contribution from SMDC, with SWT being required to use its best

endeavours to reduce the financial contribution required from SMDC in future years,

- SMDC will remain responsible for all reservoir liabilities relating to Hales Hall Pool in Cheadle, these responsibilities are placed upon the landowner within the Reservoirs Act 1975. Costs associated with these liabilities relate to water level monitoring and an alarm system located on site which cost approximately £3,100 per annum. The alarm system was replaced in 2016 and has an estimated lifespan of around 10 years (replacement costs were £2,721).
- that SOTCC transfer freehold/land ownership to SMDC alongside an annual financial contribution to cover future estates and legal costs,
- Wetley Moor Joint Committee functions (currently held by the Portfolio Holders of the two Council's) will remain with this Council in regards to land sale applications and associated financial account management,
- That SMDC be consulted in regards to changes of operations or funding applications proposed at any sites by SWT i.e. those which would affect income generation, site management or the local community.

9.7 Officers from SWT presented these general terms to their Board during May 2017, they have been received positively.

9.8 In order to progress the proposed new management arrangements with SWT, it is proposed that this Committee agree that Officers be authorised to continue the development of formal arrangements with SWT in the coming months, based upon the Heads of Terms detailed at 9.6.

9.9 Further negotiations will be required with Officers from SOTCC in regards to their obligations relating to estate and legal matters at Wetley Moor. The Heads of Terms as detailed at 9.6 require that agreement be sought from SOTCC to transfer land ownership/freehold to SMDC and that a financial contribution to cover future estates and legal costs be obtained. Officer level conversations with SoTCC have previously confirmed they would be willing to support this Council in achieving a more sustainable management option for the site, via a third party, these finer details will need relevant approvals to be sought from SOTCC.

9.10 The two Client officers employed by SMDC who have responsibility for the day to day management of all twelve sites, equating to 1.5 full time equivalent (fte) post, it is proposed would transfer under TUPE to SWT as part of the future arrangements. Informal consultation and communication has been ongoing with the two affected employees in regards to their roles as discussions developed. Formal consultation will need to commence following approval to proceed with the proposed future management arrangements and once a timescale for the changes are known.

