

Local Members' Interest
N/A

Prosperous Staffordshire Select Committee – 24th May 2016

Countryside Estate Review – Part Two

Recommendations

1. That the Committee scrutinises the proposed approach for developing the detailed management arrangements and for selecting the most appropriate partner or partners for each countryside site.
2. That the Committee supports the Scheme of Delegation set out in paragraph 28 of this report for selecting the preferred partner(s) and management arrangements for each countryside site.

Report of Cllr Mark Winnington, Cabinet Member for Economy, Environment and Transport

Summary

What is the Select Committee being asked to do and why?

3. The Select Committee has previously been involved in and influenced the Review into the future management of the countryside estate. The Select Committee is now being given an opportunity to consider the results and feedback from the public consultation exercise and to comment on the proposed process which has been designed to develop the detailed management arrangements and for selecting the most appropriate partner or partners for each countryside site.
4. The comments of the Select Committee will be reported to the Cabinet at their meeting on 15 June 2016 for them to take into account in their consideration of this matter.

Report

Background

5. The Review is about looking for new and innovative ways to manage the countryside estate so that it is more affordable to run and delivers better outcomes for Staffordshire's residents.
6. Following an initial engagement exercise which Select Committee took part in, Cabinet agreed in October 2015 to consult more widely on four options, detailed below, for managing the estate in the future:-
 - A. Retain under council management and seek opportunities to increase income from existing sites by working with volunteers, community, third sector and private parties.

- B. Transfer management on a site-by-site basis to local community or voluntary sector groups such as parish councils. This option could see parish councils, local community or voluntary sector groups maintaining and managing the use of the site, running events and deciding on wildlife management.
- C. Establish a partnership of landowners and/or other organisations with similar aspirations to work with us to manage and maintain one or a cluster of sites and develop appropriate and approved income generating facilities.
- D. Establish a not for profit trading company or charitable organisation to run and develop parts of the estate.

Public Consultation

- 7. The full public consultation ran for twelve weeks from 2 November 2015 to 24 January 2016 and sought people's views on what they value about the sites, appropriate partners, the appetite for joint working as views of the options. The consultation included an online and paper survey, drop-in sessions at the main country parks, posters, promotion via media outlets and face to face briefings. A dedicated email inbox was also set up.
- 8. The full consultation report is attached at Appendix A.
- 9. Over 7000 people signed a petition to oppose the sale of Cannock Chase. However, once our promotion campaign had been launched explaining the proposals that the Chase (and all the other sites) are to remain in county council ownership and that sale had never been an option only a total of 555 felt the need to comment during the consultation. These responses have been very constructive and important in helping shape the way forward.
- 10. As expected, 77% of respondents agreed with. Option A which largely reflects the existing in-house management arrangement but places more emphasis on reducing operational costs. This management arrangement will continue until any new management arrangements are in place with income generation and reducing the operational costs of the estate remaining two of the main priorities for the Service.
- 11. The general consensus amongst respondents was that national charitable organisations and local community groups are preferable groups to become involved with the management of the estate. This is because they have plenty to offer in terms of expertise, volunteers, access to funding, new ideas and local knowledge. Respondents felt that the three most important facilities on countryside sites are the management of wildlife/ heritage, maintenance of footpaths, bridleways, cycling trails and car parking areas, and accessible tracks and facilities. Comments were also made about the need to maintain standards, the possibility of rising costs for car parking or cafes or charging for access.
- 12. All of the results and feedback from the full public consultation have been used to guide our thinking in deciding the management approach for each site (see paragraphs 10 to 23 below).

13. 138 respondents including individuals, groups, and third sector and private organisations also registered their interest through the consultation process in working with the county council to manage the countryside estate. Some of these parties are already known to the Service but this interest will be explored further as the detailed solutions for the sites are developed.

Developing the Detailed Approach for each Site

14. See flowchart at Appendix B.

15. The next stage in the Review is to find the most viable management arrangement for each site to ensure that it is looked after in ways that give the most value to people and wildlife and to ensure its financial sustainability. At the same time operational efficiency across the wider countryside estate needs to be maintained.

16. Because of the diverse nature of the sites, it was never envisaged that a single solution would be identified for managing all the countryside sites. The approach to find the best solution for each site is described below and includes two stages: firstly, to find the best management option for each site and secondly to select the most appropriate partner or partners to work with on the site.

17. As the detailed approach for each site is developed, engagement with relevant groups will be ongoing to give them an opportunity to shape the future management of individual sites.

Stage 1 - Matching the Options to the Sites

SWOT Analysis

18. A *Strengths, Weaknesses, Opportunities and Threats* (SWOT) Analysis has been used to find the most viable management option for each site and also, to identify site bundling or clustering opportunities that will deliver better outcomes and operational efficiencies

19. The SWOT Analysis looked at how each site would thrive and contribute to the required outcomes under each of the four management options based on factors such as its infrastructure and income generating potential, its existing relationships and potential for partnership working, its environmental sensitivities which could limit its development potential and its proximity to other public access land. Consideration was also given to the characteristics of each site that could be used to more beneficial effect or, in some cases, would need to be overcome to achieve the desired results. As stated above the feedback from the public consultation including the expressions of interest in joint working were fed into and guided the thinking in this process.

Summary of SWOT Analysis

20. The detailed Summary from the SWOT Analysis is attached at Appendix C and is condensed in the table below. A partnership arrangement has been chosen for the main country parks because it will deliver better outcomes and benefits for both people and nature conservation. This is largely due to the size, limited infrastructure and the environmental sensitivities of most sites that limit their income potential and to the greater efficiencies that can be achieved through partnership arrangements with other

organisations or local communities that will allow for the pooling of resources, knowledge and expertise. Transferring management to local community groups has been chosen for the smaller sites unless there are opportunities for them to be bundled into a partnership arrangement. This concurs with the views expressed in the public consultation.

SITES	Option Appraisal Outcome/ Possible Approach
Country Parks	
Cannock Chase and Chasewater	A partnership arrangement (Option C) which includes both these sites and possibly Sevens Road Picnic Site is seen to be the most viable Option. *
Consall, Deep Hayes and Greenway Bank	A partnership arrangement (Option C) which includes these country parks and Froghall and Oakamoor Picnic Areas and the Oakamoor to Denstone and Leek to Rushton Greenways is seen to be the most viable Option for these sites in support of the wider Churnet Valley offer being developed by the Churnet Valley Living Landscapes (CVLLP) Project. In relation to Consall, there may be an opportunity to transfer the management of the site to a charitable organisation (Option B).*
Apedale	Transferring the site to a charitable organisation (Option B) or a partnership arrangement (Option C) are seen to be the most viable Options for this site.*
* Developing partnership arrangements may take some time. In the interim, opportunities to offset operating costs by increasing income, where appropriate taking into account the environmental sensitivities of sites, or by increasing volunteering opportunities will continue to be explored .	
Picnic Areas	
Froghall and Oakamoor	Inclusion within the partnership arrangement (Option C) for the wider Churnet Valley offer is the most viable Option for these sites. Alternatively, transferring the management to a local community group (Option B) would be an appropriate substitute.
Sevens Road	Inclusion within the partnership arrangement (Option C) with Cannock Chase and Chasewater Country Parks is the most viable Option for these sites. Alternatively, transferring the management to a local community group (Option B) would be an appropriate substitute.
Hanbury Common, Brownshore Lane, Hanchurch Hills, Wimblebury Road and Hatherton Reservoir	Transferring the management to a local community group (Option B) is seen to be the most viable Option for these sites.
Chillington Car Park	Continue to maintain with voluntary support or consider termination of lease in the longer term.
Greenways	
Stafford to Newport	Transferring the management to a local community group (Option B) is seen to be the most viable Option for this route or alternatively, increasing the existing voluntary contribution.
Oakamoor to Denstone	Inclusion within the partnership arrangement (Option C) for the wider Churnet Valley offer is the most viable Option for these sites. Alternatively, transferring the management to a local community group (Option B) would be an appropriate substitute.
Leek to Rushton	Inclusion within the partnership arrangement (Option C) for the wider Churnet Valley offer is the most viable Option for these sites. Alternatively, transferring the management to a local community group (Option B) would be an appropriate substitute.

Selecting the Most Appropriate Partner(s) for each Site

21. Having identified the most viable option for managing each site, a selection process has been developed to secure the most appropriate partner or partners: public, private or third sector for each site. Some soft market testing will be part of this process. Conversations with stakeholders/ potential partners will also continue at the same time but in a more formal and structured way.
22. The selection process will be a staged approach as described below. Effort will be concentrated in 2016/17 on transferring the management of the smaller sites because of the existing joint working relationships with local community groups and parish councils.:

Step 1 – Hold Potential Partner Information Days

23. The purpose of these Information Days will be to more specifically test:-
 - a. the appetite for a partnership arrangement on sites
 - b. the appetite for taking on the management of sites
 - c. the appetite for delivering some on-site services or maintenance tasks.
24. All existing and potential partners will be invited to these Information Days which will provide an ideal opportunity to build relationships with potential partners and also give them an opportunity to ask questions and learn more about the management activities on each site.
25. An exercise was carried out early in the project to identify all existing stakeholders/ partners. These included other landowning bodies, District and Parish Councils, tenants, Friends of Groups and voluntary organisations. Also, a total of 138 respondents registered their interest through the consultation process. All of these potential partners will be invited to attend the Information Days. The county council's new VCSE strategic partner will also be invited to the Information days to guide and provide support to organisations or volunteers who wish to become involved with the management of sites. This support will be ongoing.
26. A prospectus will be produced for each site to support this process.

Step 2 – Implement Selection Process

27. A proposed selection process has been drawn up which includes an evaluation process (Appendix D). The primary approach will be to place a public advert to notify interested parties followed by the release of relevant documentation specific to each site. Bids will be evaluated against a set of pre-determined evaluation criteria which reflect the critical success factors.

Delegation of Future Decisions

28. It is proposed that decisions on the final management proposals for each site should be delegated to the Cabinet Member for Economy, Environment and Transport unless there is likely to be a significant change or impact on the public or level of service. Where that is possible, the proposals will be referred back to Cabinet for a decision. The Cabinet

Member will also ensure no decisions will be made on the future of any site without the proposals being appropriately promoted widely amongst key stakeholders and the public in advance.

Legal Implications & Key Risks

29. The legal implications will need to be considered for each site in respect of contracts/agreements, property and employees and any other issues/risks that may arise during the development of the proposals. This may involve the transfer of county council assets (but not land) to an organisation and the leasing or licensing of county council properties. Any organisation interested in the county council's proposals for the various sites will need to be a legal entity (i.e. a company, charity etc.) which has previous experience and/or knowledge to assist in the management/running of such sites and have the relevant financial standing to enter into agreement for the obligations placed upon it. This will include having in place sufficient levels of insurance and effective systems to manage the health, safety and welfare of any buildings; employees; and third parties that it may be responsible for as required by the Health and Safety at Work Act 1974, subsequent regulations and approved codes of practice. The Health and Safety at Work Act 1974 places general duties on employers to ensure the health and safety of their employees and anyone else who may be harmed by the employer's work activities or workplace. Where voluntary organisations show interest (i.e. those organisations that do not employ anyone); these will be treated as though they are an employing organisation and therefore will need to satisfy the requirements of the Health and Safety at Work Act 1974, subsequent regulations and approved codes of practice. It is crucial that the organisations are robust organisations whether large or small to enable them to effectively comply with their obligations in respect of the sites including the employment of staff that may potentially transfer to the organisations. The relevant checks and obligations on the organisation are aimed at reducing the county council's exposure to liability.
30. The county council will need to undertake financial checks on any organisations and this would form part of any appointment process. The county council needs to be clear about what organisations will be required to do on sites i.e. catering provisions at Marquis Drive at Cannock Chase Country Park which is commissioned by the county council from Entrust Support Services Ltd. One of the major issues for the county council is the Higher Level Stewardship Agreements which affect Cannock Chase, Apedale and Norton Bog/Anglesey Basin. Natural England will need to be informed and agree any changes in the management of sites under existing HLS Agreement and will be a key stakeholder in the development of the proposals relating to the Cannock Chase, Apedale and Norton Bog/Anglesey Basin.
31. The agreements with any organisations will deal with the liabilities in respect of each site. Any liabilities will be highlighted as part of the development of the proposals and the county council will need to consider during the development of these proposals what liability can be transferred to the relevant organisations and what will be retained by the county council.
32. Any substantial legal issues and risk will be highlighted within any subsequent cabinet reports or delegated decisions. Risks of any nature including legal risks will be set out within a risk log which will be maintained for each site and for the project as a whole.

33. During the continued development of the detailed proposals for the sites the county council will need to consider the client side structure required to manage any partnerships or management agreements with organisations. A relevant governance process will need to be put in place.

HR Implications

34. All staff involved, directly or indirectly, with the management of the countryside estate may be affected by the Review. This includes members of the Ranger Service, the in-house Works Unit and the Environmental Specialist team.

35. The management of sites could transfer to new providers which would have an impact on staffing levels or job roles. It is still premature at this stage to predict the extent of the impact because the management arrangements for particular sites have not been established. Staff and Trade Union Representatives have been engaged and consulted as the Review has progressed and this will continue as the detailed proposals for each site are developed.

MTFS

36. The Review aims to deliver MTFS savings of £50,000 in 2017/18 rising to £250,000 by 2020/21. Future savings will be made once the new management arrangements plans are in place, but it is not known yet what these will be. The point of this next stage in the Review is to find the best management arrangement for each site which, in turn, will determine how much is saved.

Next Steps

37. The Select Committee is now being given the opportunity to review the proposed approach for developing the detailed management arrangements and for selecting the most appropriate partner or partners for each countryside site prior to consideration by Cabinet on 15 June 2016.

Link to Strategic Plan – Great Place to Live

Link to Other Overview and Scrutiny Activity – Previous consideration by Select Committee on 18 December 2014 and 4 September and 12 October 2015.

Community Impact – A full CIA has been produced and is included in the background papers.

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Background papers

Appendix A – Countryside Estate Review Consultation Report

Appendix B – Flowchart of Development of Detailed Approach

Appendix C – SWOT Summary

Appendix D – Proposed Selection & Evaluation Process

Appendix E – Community Impact Assessment

**Reports of Prosperous Staffordshire Select Committee - 18 December 2014, 4
September and 12 October 2015.**

Community Impact Assessment

Draft Cabinet Report and Appendices