

## **RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY**

[To be completed having read 'Guidance to Members and Officers – Taking a Delegated Decision'].

### **\*PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

**SERVICE DIRECTORATE:** *Place*

#### **1. DECISION TAKEN**

To appoint Groundwork East to deliver Project Management Services for the delivery of specific projects within Greenspaces, as identified through the capital programme.

#### **2. DECISION TAKER**

Sarah Kingsley, Service Director – Place

#### **3. DATE DECISION TAKEN:**

14 February 2023

#### **4. REASON FOR DECISION**

4.1 The appointment is to help achieve the outcomes of the Councils Greenspace Management Strategy and deliver other identified capital projects as appropriate.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 Other procurement options were considered as part of a market research process. This included contacting members of ParksHerts (all Herts County District and Borough Councils), Landscape Architects and playground manufacturers. This research helped identify that Groundwork East offer the best solution to our needs.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

6.1 The Executive Member for Environment and Leisure was consulted on the procurement.

#### **7. FORWARD PLAN**

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

#### **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

8.1 Groundwork East have successfully managed several capital projects over the term of the existing agreement which expires on the 31<sup>st</sup> March 2023 resulting in the need for a new procurement. The works completed by Groundwork includes public consultation, design, and project management, through to completion of projects that have been identified within the Greenspace Management Strategy or that have become available through S106 contributions. This includes the Skate Park at

Norton Common, renovation of the play area at King George 5<sup>th</sup> Hitchin, renovation of the play area at Chiltern Road Baldock, renovation of the play area at Howard Park and Gardens Letchworth and more recently the supply and installation of interactive play equipment in Royston, Letchworth Baldock and Hitchin.

- 8.3 So as to ensure the ongoing delivery of the actions identified within the Greenspace Management Plan it is vital to procure this external resource to manage these projects.

## **9. LEGAL IMPLICATIONS**

- 9.1. As the contract value is below the World Trade Organisation (WTO)'s Government Procurement Agreement (GPA) threshold, the Public Contracts Regulations 2015 (PCR) does not apply to this procurement and the contract does not need to be competitively tendered.
- 9.2 The entering into such contracts must comply with the Council's Contract Procurement Rules (CPRs) [Part B, Section 20 dated 19<sup>th</sup> January 2023] and Rule 14 of the CPRs sets out the circumstances in which a Single Tender can be considered.
- 9.3 Under section 14.6.4 (a) (ii) of the constitution, Service Directors are delegated powers, functions and duties which include "Entering into contracts to carry out works and/or for the supply of goods and services within approved budgets". For the Service Director: Place this includes contracts in relation to Parks and Open Spaces (section 14.6.9 (b) (vii).

## **10. FINANCIAL IMPLICATIONS**

- 10.1. There are no revenue implications associated with this report as any projects will be delivered within existing budgets.
- 10.2. Capital implications are as per the Greenspace Management Strategy 2022 – 27 and the capital provisions identified within it. In turn, these are incorporated into the Council's capital programme (in the Investment Strategy). Additional works may become available as Section 106 funding is released for the delivery of specific projects, as off-site contributions for ongoing developments. These projects will also be added as adjustments to the capital programme. The cost of project support that is directly linked to a capital scheme can be treated as capital expenditure. The expected value of the contract is around £20-30k per year but will depend on the number and value of capital schemes delivered.

## **11. RISK IMPLICATIONS**

- 11.1 The appointment of Groundwork East will assist the Greenspace Team with the delivery of the Capital Programme, identified within the Greenspace Management strategy, ensuring ongoing improvements to greenspace provision. This will ensure a continued high level of provision that is expected by our residents. Therefore, the risks associated with this appointment are considered to be low. Groundwork's approach to engaging residents through consultation, means potential reputational risks from delivering projects without sufficient resident engagement is greatly reduced.
- 11.2 The appointment of Groundwork will mitigate risks to the capacity of the greenspace team to deliver the capital projects outlined in the capital programme.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment,

victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no direct equality implications for this decision. The improvement of greenspace that follows this appointment will benefit all residents and seek to advance the equality of opportunity of those with a protected characteristic.

### **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. As the recommendations in the report relate to a contract below £100,000 the “go local” policy applies. However, as the support provided is specialist, we are not aware of any North Herts supplier who could provide the support required and therefore no local quotations were requested.
- 13.2. As a Voluntary Community and Social Enterprise (VCSE) Organisation Groundwork East has Social Value embedded within its approach and it is fundamental to its charitable purpose. Groundwork East’s activities contribute to its own charitable vision of a society of sustainable communities which are vibrant, healthy, and safe which respect the local and global environment. As a registered charity any surpluses are reinvested directly into further local activities. By their nature the various projects delivered by Groundwork East will potentially focus upon different social value priorities. For example, the landscape activities will prioritise the environmental benefits, and the community benefits will be realised through the delivery of the identified projects within the Greenspace Management Strategy.

### **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to this report. Any environmental implications will be considered as part of the delivery of each project that Groundwork East are appointed to deliver.

### **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There are no human resource implications resulting from this report as the employment of Groundwork East will ensure the provision of appropriate skills and technical knowledge will be available to Officers in the future.

### **16. BACKGROUND PAPERS**


- 16.1 None

### **17. APPENDICES**

- 17.1 None

### **NOTIFICATION DATE**

*Date sent to all Members, put on website and appears in MIS – Committee, Member & Scrutiny Services can confirm this with you,*

**Signature of Executive Member Consulted ...** 

**Date ...7<sup>th</sup> March 2023.....**

**Signature of Decision Taker .....** 