

<b>Grants Determination Sub</b>	 <b>TOWER HAMLETS</b>
March 4 <sup>th</sup> , 2020	
<b>Report of:</b> Debbie Jones, Corporate Director Children's Services	<b>Classification:</b> Unrestricted
<b>Establishing a Service Level Agreement with Friends of Tower Hamlets Cemetery Park to develop a new woodland walk at Fairfoot Road</b>	

<b>Lead Member</b>	<b>Cllr Sabina Aktar</b>
<b>Originating Officer(s)</b>	Alice Bigelow
<b>Wards affected</b>	Bow West
<b>Key Decision</b>	Approval of a three year programme of work with volunteers and residents to establish a new woodland walk
<b>Forward Plan Notice Published</b>	03/02/2020
<b>Reason for Key Decision</b>	Friends of Tower Hamlets Cemetery Park have worked in partnership with Tower Hamlets Parks and the Council's Biodiversity Officer to develop a project to reclaim currently derelict land and transform it over three years into a woodland walk. This will cost £100,000 over three years and is distinct from the current Service Level Agreement in place between the Council and the Friends of Tower Hamlets Cemetery Park for the maintenance and management of the cemetery open space.
<b>Community Plan Theme</b>	<b>A great place to live, A healthy and supportive community</b>

### Executive Summary

At the meeting of the Grants Determination sub Committee on 6<sup>th</sup> February 2018, the decision was made to award a three year Service Level Agreement to the Friends of Tower Hamlets Cemetery Park for the purpose of managing and maintaining the site. As a result of this relationship, Procurement colleagues have advised that the request for funding for the Fairfoot Road project should also be considered by GDSC.

The Fairfoot Road project has been developed as a partnership between Tower Hamlets Parks, Tower Hamlets Biodiversity Officer and the Friends of Tower Hamlets Cemetery Park. The aim of the project is to bring a currently unused section of open space into use as public realm.

The Friends of the Tower Hamlets Cemetery Park work closely with the Council in managing the Cemetery Park as well as in delivering programmes of community

engagement through the borough's Community Cohesion programme in Swedenborg Gardens and Shandy Park. The Friends have won multiple awards for the Cemetery Park, including two gold awards from London in Bloom for 'Best Cemetery' and for 'biodiversity'. Tower Hamlets Parks has worked in partnership with the borough's Biodiversity Officer and the Friends of Tower Hamlets Cemetery Park to develop a plan to bring new life to a piece of open space. The delivery of the plan relies on the Friends' methodology of creating woodland walks using crushed concrete, and working with volunteers and residents. This site will become a haven for wildlife and improve the biodiversity qualities on offer to members of the community

The scheme will be delivered over a three year period as part of the Parks 'Community Gardening, Biodiversity and Horticulture' capital project (PID approved by Cabinet in September 2019, PID attached). The scheme will cost £100,000, and be delivered by grant funding to the Friends of the Tower Hamlets Cemetery Park.

The purpose of this report is to seek approval for £100,000 to be paid over three years to the Tower Hamlets Cemetery Park from the already approved capital programme.

### **Recommendations:**

The Grants Determination Sub Committee is recommended to:

1. Authorise the Corporate Director Children and Culture to make a grant to the maximum value of £100,000 to fund the Friends of the Tower Hamlets Cemetery Park in the delivery of the project under appropriate terms as are agreed with the organisation in consultation with Legal Services.
2. Authorise the Corporate Director Place to direct the execution of any necessary documentation to give affect to the grant referred to in paragraph 1.

### **1. REASONS FOR THE DECISIONS**

- 1.1 The Friends of the Tower Hamlets Cemetery Park are experienced in running and developing an important open space. They have a uniquely suitable range of skills and knowledge around biodiversity, gardening and community engagement that will enable them to develop the currently derelict site adjacent to Fairfoot Road along the railway line, and to do so involving volunteers and local residents.
- 1.2 The scheme will create a new open space in an area where open space is at a premium.
- 1.3 The scheme will offer opportunities for community engagement and participation in shaping the environment.

## **2. ALTERNATIVE OPTIONS**

- 2.1 **Do nothing** – in which case an opportunity to create a new area of open space, rich in biodiversity will be lost.
- 2.2 **Invite competitive quotes for delivery of the project** – with this option, the scheme would be delivered, but without acknowledging the partnership through which the scheme was developed, and, in all likelihood, without the level of community engagement that will be achieved through the delivery by the Friends of the Tower Hamlets Cemetery Park.

## **3. DETAILS OF THE REPORT**

3.1 In September 2019, PIDS for a number of capital programmes were approved by cabinet for Parks and Open Spaces. One of these is Biodiversity, Community Gardening and Horticulture to a value of £200,000. The central project under this programme (estimated at 50% of the total value) is to bring a now unusable area of open space into public use at Fairfoot Road. The site is split between housing land, council land and network rail. A project was developed by the Friends of Tower Hamlets Cemetery Park and the borough's Biodiversity officer to reanimate this land: removing the extensive quantity of Japanese knotweed; create paths and gates to enter the site, install benches and bins and create a woodland walkway. The budget for this project is spread over three years and is £100,000. The intention for delivery is for the Cemetery Park to work with corporate volunteers and local residents to carry out the improvements to the site over the coming three years.

3.2 The Council has a Service Level Agreement with Tower Hamlets Cemetery Park for them to manage the Cemetery Park site which is owned by the Council. It was renewed for three years at Grants Determination Committee in February 2018.

3.3 Some months ago, Parks approached colleagues in Procurement to see if there was a way to contract for this work with the Cemetery Park without securing competitive quotes as it is a partnership project and not really appropriate for a competitive process. The recommendation was that the scheme should be routed it through the Grants determination Sub Committee as an addendum to the existing SLA, although the work they will do under this programme, unlike their existing SLA, consists of a set of capital improvements to the site, and they are not undertaking any commitment to maintain the site once the improvements are in place.

3.4 The project will be managed by a project board consisting of representatives from Parks, the borough's Biodiversity Officer, Poplar HARCA, and Tower Hamlets Homes, both of which have property adjacent to, and forming part of the proposed woodland walk. The project will operate under the Council's Capital Programme

procedures and will report through the Capital Programme Board for Sports, Leisure and Culture.

The overall scope of the works have been approved by the Parks Biodiversity and Community Gardening Project Board, and it is proposed that annual work programmes will be agreed by the project board, and once agreed, that payments will be made to the Friends of Tower Hamlets Cemetery Park for that year's work. The work will be monitored by the Parks Infrastructure Officer who will report on progress to the Project Board.

#### **4. EQUALITIES IMPLICATIONS**

4.1 This project will allow engagement with hard to reach groups as well as offer the experience of horticulture activities & bulb planting for all members of the community.

4.2 The Friends of Tower Hamlets Cemetery Park provide activity for 22,000 children each year, and can demonstrate experience in the form of community engagement that will be central to this project.

4.3 These service level agreements actively promote the involvement of local residents in managing open space. It creates opportunities for people from different communities to work together around a shared enthusiasm for open space, wildlife, animals, ecology and so on. Research has demonstrated that communities with a greater 'stake' in their areas are more likely to feel a sense of engagement and participation. Enabling local community groups, run by local people, to manage open space is an important tool to helping individual and group empowerment.

4.4 Tower Hamlets is a borough with high levels of deprivation and high population density. Although the ward in which this open space is located is not the most deprived in the borough, the borough is a patchwork of areas of high and low deprivation, so access to green space is relevant across the whole of the local authority. Moreover, the population of Tower Hamlets is set to grow exponentially and in this context open space is essential. Not only does it offer a green 'lung' for the area and help mitigate pollution, but it offers residents an opportunity to come together in a time when children can no longer play in the street and the absence of a traditional town centre deprives communities of shared space.

#### **5. OTHER STATUTORY IMPLICATIONS**

5.1 **Best Value** - The Friends of Tower Hamlets Cemetery Park offer excellent value for money. With low overheads and effective mechanisms to lever external funding, they are able to deliver a much more extensive and effective service than if the Council were providing it direct, and certainly better value than any commercial landscaping company.

5.2 **Risk Management** - The Friends of Tower Hamlets Cemetery Park are a long standing organisation, with a positive track record of delivery and management of their open space.

5.3 The service level agreements require the Friends of Tower Hamlets Cemetery Park to provide annual management/ work plans against which performance is regularly monitored. During the lifetime of this project, work at Fairfoot Road will be monitored alongside other aspects of the work plan, including the option for termination should they fail to deliver what has been agreed in the annual plan.

5.4 **Environment** - Open spaces, particularly those with a significant level of wildlife, are important resources for the environment. These spaces provide sites for biodiversity (the Cemetery Park is designated Local Nature Reserve, a Site of Metropolitan Importance for Nature Conservation, and a Conservation area) as well as offering green lungs to the area. The Fairfoot Road project will focus on biodiversity and provide information and habitats for wildlife.

5.5. **Crime Reduction** - Parks and open spaces are often seen as magnets for Anti Social Behaviour. Young people with no place else to go may hang out in parks, making other users feel threatened (often inadvertently). People seeking quiet corners to take drugs or drink can find these secluded areas in parks. It is recognised that one of the ways of combatting Anti Social Behaviour in parks is to increase the presence of activity. One of the consequences of an extended, local, volunteer driven programme is that it is more likely to attract regular local users, making a less hospitable environment for Anti Social Behaviour.

5.6 **Safeguarding** - The service level agreement requires the organisation to require staff to have DBS checks, and to comply with best practice in safeguarding and other applicable legislation.

5.7 **Consultation** – One of the aspects of this scheme is to engage local residents and volunteers. The site is adjacent to housing managed by Poplar HARCA and Tower Hamlets Homes, and both organisations play an active role in the Project Board. As the project develops to the point where the site is cleared, consultation and engagement activity will be organised to ensure local residents have a voice in the development.

5.8 [Report authors should identify any other specific issues relevant to consideration of this report. Including, but not limited to, the issues noted above. This section of the report can also be used to re-emphasise particular issues that Members must have considered before taking the decision (for example issues that may come up if an objection was taken to court). Note – Paragraph 5.1 MUST NOT be deleted.]

## 6. **COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 In the provisional capital programme for the period 2020-21 to 2022-23 which has been approved by Cabinet there is £200,000 of budget allocated to this scheme for the financial years 2019-20 to 2022-23 funded by section 106 contributions. As with any other scheme included in the provisional capital programme this is subject to the review of the whole of the programme over the next three months.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Council has the legal power to make this grant although it is not legally obligated to provide parks and open spaces.
- 7.2 The Council has the legal duty to ensure that any grant achieves Best Value. In this scheme this will be achieved by:
- 7.2.1 Ensuring that projected expenditure of the grant is verified by the Council in advance
  - 7.2.2 Ensuring that expenditure by the organisation with third parties is supported by obtaining the relevant number of quotes stated under the procurement procedures
  - 7.2.3 supporting the grant with an appropriate agreement which gives the Council rights to see information for the purposes of monitoring.
  - 7.2.4 ensuring that payment is only made upon achieving the relevant deliverables
- 7.3 This grant does not constitute state aid
- 7.4 There is the clear legal duty to ensure that the final green space is accessible to all for the purposes of the Equality Act 2010. However, this will be assessed and managed as part of the scheme design. The giving of this grant does not in itself have any significant Equality Act implications

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- Grants Determination Sub Committee 06.02.18 Service Level Agreements with Mudchute Farm and Friends of Tower Hamlets Cemetery Park  
[Link](#)
- PID for Parks Capital Programme Biodiversity, Community Gardens and Horticulture

### **Appendices**

- Scope of Work to Fairfoot Road Woodland project

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None

### **Officer contact details for documents:**

N/A