

**Environment and Communities
Committee**

28 September 2023

**MTFS 91 Green Spaces Maintenance
Review - Update**

Report of: Peter Skates, Acting Executive Director - Place

Report Reference No: EC/07/23-24

Ward(s) Affected: ALL

Purpose of Report

- 1 This report details the progress in delivering the Green Spaces Maintenance Review which is a key element of the Councils adopted Medium Term Financial Strategy 2023-27 (MTFS).
- 2 The proposal supports the Corporate Plan priorities of:
 - (a) **Open** - A sustainable financial future for the council, through service development, improvement and transformation and;
 - (b) **Green** - A thriving and sustainable place through reduce impact on the environment.
- 3 The report provides a draft policy document for approval, subject to consultation. The maintenance standards contained within the draft policy have been benchmarked with other local authorities.
- 4 The policy document sets out the new standards for Green Spaces maintenance commissioned with and delivered by Ansa Environmental Services Ltd (ANSA).
- 5 The report also outlines the recommendations from a review approved by the Environment and Communities Committee in September 2022 Committee into Ansa maintained sites – not registered in Council ownership.

Executive Summary

- 6 The Council currently commissions ANSA to undertake maintenance works including grass cutting, weed spraying and tree inspection and maintenance works across in excess of 1,500 parcels of land spread across the Cheshire East borough.
- 7 This paper does not cover green spaces included as part of the adopted highway which are considered separately.
- 8 This paper outlines proposals for the introduction of a new policy relating to maintenance regimes to parks, public open spaces and other green spaces. This focuses on introducing a hierarchy of maintenance, providing a framework to drive consistency of standards across all Council maintained green spaces and at the same time delivering opportunities for rewilding of specific areas, promoting increases in biodiversity.
- 9 The revised approach underpinned by the draft policy is required to deliver the savings associated with MTFS 91 Green Spaces Maintenance Review, which are £598,000 in total, split across 2023/24 and 2024/25.
- 10 The paper seeks permission to consult on the Green Spaces Maintenance Policy included as Appendix A of this report. This is supported by a detailed schedule of proposed maintenance at each site which the Council currently commissions the maintenance of included at Appendix B.
- 11 Following public consultation final proposals will be brought back to the Committee for permission to implement, from April 2024.
- 12 As part of these service transformation proposals a new grounds maintenance software system is proposed to be introduced to assist in the scheduling and implementation of the changes and provide an ongoing management and reporting tool.
- 13 On the same theme of service transformation investment will be given in to updating the Council's public facing web pages to allow a greater degree of information to be available to the public around how and when green spaces will be maintained.

Ansa Maintained sites – not registered in Council ownership

- 14 Following a mapping exercise by Ansa of their grounds maintenance sites it became apparent that an initial 540+ potentially were not registered in Council ownership. A Committee paper in September 2022 secured agreement to undertake a 12 month review into this issue.

- 15 This report sets out the outcome of that review and requests permission to consult on proposed changes to maintenance on these sites, summarised in Table 1 of this report, with the detail of each site included at Appendix C.

RECOMMENDATIONS

The Environment and Communities Committee is recommended to:

1. Note the objectives of and progress to date of the work to bring forward the Green Spaces Maintenance Review alongside its contribution to delivering the Council's Medium-Term Financial Strategy, as adopted at council on 22 February 2023;
2. Delegate to the Interim Director of Environment and Neighbourhood Services to take all necessary steps to deliver a public consultation to seek views on;
 - a. the Green Spaces Maintenance Policy contained within Appendix A of this report and the associated schedule at Appendix B and;
 - b. the recommendations from the review of maintained sites – not registered in Council ownership as contained at paragraphs 36-42 of this report and the associated schedule at Appendix C
3. Note the subsequent timeline for bringing back to Committee a clear recommendation on implementation, which is to include the outcome of the public consultation.

Background

Current Position

- 16 Cheshire East Council's maintenance of green spaces is conducted by the Council's wholly owned company Ansa Environmental Services Ltd. ANSA are commissioned to undertake grounds maintenance activities to 1,551 individual sites covering 804.76 hectares in plan area and spread across the borough.
- 17 ANSA as the Councils contractor for these services directly employs circa 60 full time equivalent grounds operatives, excluding supervisory and management staff to do this, with limited sub contract work.

- 18 Maintenance of green spaces has not been reviewed in detail
- 19 The initial stage of the review has been to develop a Green Spaces Maintenance Policy is based around specifications for different site typologies and zoning, which a draft for consultation is contained at Appendix 1.
- 20 As part of the development of the draft policy benchmarking has been undertaken with a number of other local authorities to understand how their maintenance regimes compare and to shape the offer in Cheshire East.
- 21 In benchmarking the current maintenance frequencies of the Councils green spaces it is clear that the standard for certain sites is considerably higher compared with other comparable Local Authorities in the region.
- 22 Conversely it is important to note that some green spaces maintenance regimes are driven by the need to adhere to standards, specifically those areas which are used for sport. Hence, the scope for change here is limited.
- 23 The development of the draft policy and supporting documentation has been guided by the following overarching principles;
- The need to ensure that the service continues to be affordable in the immediate and longer term;
 - Consistency of standard of maintenance across the same typology of site;
 - Introduction of a hierarchy of amenity values ensuring that the budget available is proportionately directed to the maintenance of those areas which offer the greatest community value;
 - The need to benchmark our own ways of working with comparable organisations and;
 - To ensure that the review is a vehicle for service transformation including investment in technology to drive service improvement and introducing a higher degree of customer interface.
- 24 The following site typologies are identified with in the policy;
- Formal Parks & Gardens
 - Outdoor Sport

- Community Green Infrastructure
- Urban Open Space
- Rural Open Space
- Cemeteries, Church Yards & Memorials

25 In summary, the general intent of the draft policy when considered against the site typologies is as follows (note reference to frequencies relates to the period of the growing season, generally April – October);

- **Formal Parks & Gardens** - Core formal areas will see no substantive change. Larger strategic parks will be zoned and have a specific management plan to ensure optimisation of maintenance resources, selected areas outside the core zones will be allowed to be re-wilded.
- **Outdoor Sport** - No substantive change due to pitch standards – however, the maintenance regime is to be standardised across all registered sites
- **Community Green Infrastructure** - Sites to be standardised around a 4 week maintenance frequency for grass cutting and informal low level planting maintenance. Equipment inspections will remain as they are currently.
- **Urban Open Space Sites** - to be standardised around a 4-5 week maintenance frequency for grass cutting and ancillary activities
- **Rural Open Space Sites** - to be standardised around a 5-6 week maintenance frequency for grass cutting. Scope to omit some sites altogether and allow rewilding.
- **Cemeteries, Church Yards and Local Memorials-** Sites to be standardised around a 4-5 week maintenance frequency for grass cutting and ancillary activities.

26 A set of three zones have also been developed to group standards under specific descriptions and to further refine how individual sites will be maintained. They are as follows:

- **High amenity (high maintenance)** - Maintenance standard expected for high profile areas such as in designated formal parks, gardens, memorials and recreational facilities such as bowling greens.

- **General/medium amenity (standard maintenance)** - Maintenance standard expected in areas where there is a medium level of general use/activity, sites such as smaller parks, sports playing fields, larger cemeteries and designated play areas
- **Low amenity (low maintenance)** - Maintenance standard expected in other green space areas with low amenity value including countryside parks, open space within housing estates and grass verges.

- 27 It should be noted that some of the larger Cheshire East sites may have more than one zone due to their multi-faceted uses, which will be established via a bespoke site management plan.
- 28 There are also a number of sites across the estate which are also inspected from a public safety perspective, particularly around trees and play equipment. The draft Green Spaces Maintenance policy does not propose any changes to these safety critical inspection activities.
- 29 A detailed schedule of how the above site typologies and zoning is proposed to be applied to each site which ANSA maintains is included at Appendix B and will be published alongside the policy document as part of the consultation. It should be noted that the site schedules are subject to a final data quality audit check prior to use as part of the consultation materials.

Accreditations

- 30 Key parks are currently entered annually in the Green Flag accreditation scheme. It is proposed that this form of accreditation continues and/or is established across sites which have been designated as strategic across the borough, as set out in the Green Spaces Maintenance Policy.

Biodiversity

- 31 The proposed measures will offer a degree of biodiversity enhancement in support of our corporate objectives through changes to the way we currently carry out mowing. Mowing less regularly would promote the growth of grass and clover flowering structures for the benefit of pollinating insects.
- 32 In some areas of the borough, the proposals include enhancing areas of no-mow or allowing areas to naturally develop into scrubland as a form of rewilding, which will promote a more diverse habitat structure to the benefit of a variety of insects, molluscs, amphibians, reptiles, birds, and small mammals.

Communications and Engagement

- 33 As part of the wider transformation of this service area a proactive communications and engagement campaign will be devised to ensure that residents. This will include the formation of a set of Frequently Asked Questions informed by the feedback received through the proposed consultation.
- 34 The basis of this will be those documents included at Appendices A-C, which will be published to the Council's webpages once they have been approved in their final form and regularly updated to reflect any changes. These will be accompanied in due course by specific site management plans for those larger sites deemed to be strategic to the borough.
- 35 The longer term aspiration would be to link the maintenance schedule information in to a live public accessible mapping system to allow people to view the data directly and therefore introduce a level of self serve. However, the immediate focus is to establish the new maintenance regimes, once finalised.

Ansa Maintained sites – not registered in Council ownership

- 36 Following a mapping exercise by Ansa of their grounds maintenance sites it became apparent that an initial 540+ potentially were not registered in Council ownership.
- 37 A Committee paper in September 2022 secured the approval for officers to undertake a 12 month review into this issue, with recommendations to be brought back for further consideration.
- 38 Sites known not to be in Council ownership have continued to be maintained during this time unless the owner has formally requested a cessation in maintenance or there is evidence the land has attempted to be enclosed, by erection of a fence for instance.
- 39 Environmental Services and Assets teams have been working together to review the list and have developed a set of simple categories to classify how we move forward.
- 40 The following are the categories developed;
- **Category 1** – Maintenance works to continue in accordance with new policy.
 - **Category 2** – Maintenance works to continue in accordance with new policy, subject to further investigations on maintenance

responsibility and/or funding. This will be picked up as part of the ongoing green spaces maintenance review.

- **Category 3** – Maintenance works to cease from April 2024, as Council can demonstrate that it does not have an interest / obligation. This would be communicated with the registered owners who would alongside the relevant Town or Parish Council be offered the opportunity to fund continued maintenance activity under a formal agreement.

- 41 Findings from the review are outlined in Table 1, with the details of which category each of these sites falls under contained in the site schedule at Appendix C.
- 42 This approach will form part of the consultation process.

Asset Type	General Description	No. of Sites by Category			
		1	2	3	Totals
Churchyards, Cemeteries & Graveyards	Includes open and closed sites, some transferred to CEC and sites where tree maintenance is undertaken	2	13	0	15
Highways Land	land in/outside adopted highway, detrunked areas and those areas acquired specifically for highway schemes	0	207	37	244
Housing Estate Land	Includes land in ownership of Council, third parties and social housing providers	0	54	41	95
Cenotaphs / Memorials	Land is not maintained for Council as a land owner. Relevant Act gives all councils powers to maintain, but this is discretionary.	0	5	0	5
Open Green Space	Expanses of green space which do not fall under any other category	0	52	2	54
Other Land	Miscellaneous plots such as car parks, village halls and the like	1	21	0	22
Totals		3	352	80	435

Table 1: Summary of proposed criteria for sites not registered in CEC ownership

Consultation and Engagement

- 43 This paper seeks permission to consult publicly on the proposed Green Spaces Maintenance Policy contained at Appendix A of this report and supported by a detail site schedule contained at Appendix B.
- 44 As part of the same consultation process residents views will be sought on the proposed categorisation of sites not registered in the ownership of Cheshire East Council, as summarised in Table 1 of this report and scheduled in detail at Appendix C.
- 45 It is envisaged that the consultation will run from October over a period of 4 – 6 weeks with final dates to be publicised in due course. The consultation will have its own communications plan attached to ensure residents are actively engaged. Part of the engagement will be;
- Issue of ward specific site schedules to each Member
 - All Member briefings
 - Engagement with Town and Parish Councils.
- 46 The consultation will seek views from residents as to how they would like to engage with this service area in the future.
- 47 Following consultation final proposals will be developed and brought back to committee for a decision to implement, which is targeted at February 2024 to allow the new maintenance regimes to be in place for 1st April 2024.

Reasons for Recommendations

- 48 The proposal supports Open and enabling objective of the Corporate Plan, delivering the priority set out to:
- (a) Support a sustainable financial future for the council, through service development, improvement and transformation.
- 49 The proposed measures will offer a degree of biodiversity enhancement in support of our corporate objectives through changes to the way we currently carry out mowing. Mowing less regularly would promote the growth of grass and clover flowering structures for the benefit of pollinating insects.

Other Options Considered

- 50 The following options appraisal outlines the other options considered in more detail:

Option	Impact	Risk
Continuing to maintain sites –not registered in Council ownership	The council would continue to spend resources on servicing areas that it is not legally responsible for.	Maintenance of these areas could infer liability to the council for land it does not own.
The Committee resolving to do nothing	The Committee would need to identify alternative savings / income to deliver the required income target of ££598,000.	The Council cannot deliver a balanced budget.

Table 2: Summary of alternative options considered

Implications and Comments

Monitoring Officer/Legal

- 51 The Council should ensure that it maintains land where it has a statutory duty to do so.
- 52 If a public consultation exercise is to be commenced, the Council should ensure that it follows the Gunning Principles and to ensure that the following are met;
- (i) The proposals are still at a formative stage and no formal decision has been made or predetermined by the decision makers
 - (ii) That sufficient information is provided to the consultees this needs to be available accessible and easily interpretable by the consultees to provide an informed response
 - (iii) Sufficient opportunity should be given to consultees to participate in the consultation, the length of time given for the consultee to respond should depend upon the subject and the extent of the impact on the consultation.
 - (iv) Conscientious consideration must be given to the consultation responses before a decision is made.
- 53 If the Council fails to comply with the above, the consultation exercise may be deemed to be illegitimate and any subsequent decision ultra vires.

Section 151 Officer/Finance

- 54 The maintenance of green spaces across parks, public open space, many playing pitches and the like delivered by ANSA is funded through the agreed Annual Management Fee. This budget is held and managed by the Environmental Services team as lead commissioner for these services.
- 55 The current budget forecast (excluding savings proposals) for 2023/24 equates to circa £2.93m.
- 56 Due to the need to develop, consult and implement policy changes the full MTFS allocation cannot be achieved in the first year. Initial savings will be achieved through measures agreed with ANSA, such as proactive vacancy management and removal of agency staffing.
- 57 Table 3 shows the profile of the forecast budget savings and how this will affect the MTFS.

Table 3: Summary of financial position MTFS 2023-27

Financial Year	MTFS Target	Banked Savings	Forecast to year end	At Risk
Year 1 (23/24)	£398,000	£204,000	£204,000	£194,000
Year 2 (24/25)	£200,000	£0	£394,000	£0

- 58 In order to bring forward this service transformation and specifically the investment in technology to automate maintenance scheduling and reporting there is a need for capital investment. This has an estimated cost of £100k which is included in the capital programme.
- 59 Ongoing revenue costs associated with maintaining any new software and technology systems will be funded by ANSA.

Policy

- 60 The proposal supports the following [Corporate Plan](#) priorities.

<p>An open and enabling organisation</p> <p><i>Priority: Support a sustainable financial future for the council, through service development, improvement and</i></p>	<p>A council which empowers and cares about people</p> <p><i>Priority: Work together with our residents and our partners to support people and communities</i></p>	<p>A thriving and sustainable place</p> <p><i>Priorities;</i></p> <p><i>Reduce impact on the environment</i></p> <p><i>Be a carbon neutral</i></p>
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<i>transformation</i>	<i>to be strong and resilient.</i> All services to be developed together with our residents and communities, so they are based on what works for people in Cheshire East.	<i>council by 2025</i>
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- 61 The authority sets out in its corporate plan to improve and increase biodiversity and natural habitats across the borough by increasing the number of rewilded areas within our parks and open spaces as part of the authorities overall Green aspiration to be “a thriving and sustainable place.”

Equality, Diversity and Inclusion

- 62 An Equality Impact Assessment is contained within Appendix D of this report.
- 63 In summary the following should be considered;
- (i) Disability : It is speculatively assumed that if some areas of mown grassland cut to a low sward height receive a lesser frequency of maintenance or are transitioned to ‘no-mow’ areas to enhance biodiversity, that this could present a minor impediment to accessibility for some users with wheeled mobility aids such a walking frames or wheelchairs. This will be considered as part of consultation outreach to assess perceived impacts and mitigating action which could result in mowed accessible routes being established.
 - (ii) Pregnancy and Maternity: It is speculatively assumed that if some areas of mown grassland cut to a low sward height receive a lesser frequency of maintenance or are transitioned to ‘no-mow’ areas to enhance biodiversity, that this could present a minor impediment to accessibility for some users with wheeled push chairs and/or prams. This will be considered as part of consultation outreach to assess perceived impacts and mitigating action which could result in mowed accessible routes being established.

Human Resources

- 64 There are no direct implications for the Council in terms of human resources.
- 65 The proposals are likely to have human resources implications within ANSA as the Councils appointed contractor. Trade Union and staff consultations will likely be required and will be led by ANSA.

Risk Management

- 66 Table 4 sets out an overview of key project risks and their mitigation actions.

Risk		Mitigating Actions
Policy changes are not deliverable within timeframe	Lack of capacity within contractor ANSA to initiate changes brought about by new policy	Ensure robust project governance structure is in place Early engagement with ANSA to ensure that they aware of project programme
	Lack of detailed service information to inform baseline position of current maintenance activity	Introduction of a new grounds maintenance software system to provide level of automation to reduce impacts on staff resource in maximising the efficiencies realised.
Adverse public reaction to changes in maintenance regimes for both; <ul style="list-style-type: none"> - Initial Policy proposals - Post implementation 		Undertake comprehensive public consultation on proposals prior to adoption. Ensure robust and proactive communications campaign included in project plan to be implemented in advance of and across initial stages of new maintenance regime

Table 4: Summary of key risks and proposed mitigations

Rural Communities

- 67 Maintenance levels will vary according to site typologies and zones. Rural open space and cemeteries are likely to see a reduced standard of maintenance compared to urban spaces which see a greater level of amenity value and usage under these proposals. This has been designed to carefully reflect the more naturalised environment in rural settings.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 68 The proposals will protect sports and amenity spaces whilst increasing opportunities for children and young people to experience nature in their locality.

Public Health

- 69 The proposals will standardise and protect maintenance to the likes of designated sports pitches and urban amenity spaces such as play areas to promote physical and wellbeing activities. This is likely to have *a positive, overall impact on the health and wellbeing of Cheshire East residents particularly for those who live in urban areas with less access to countryside.*

Climate Change

- 70 The proposals are likely to help the council to reduce its carbon footprint with less use of currently diesel mowers equipment and vehicles.
- 71 The opportunities for increased biodiversity, tree and shrub planting will also off set carbon and assist in achieving the Councils objectives related to climate change mitigation, particularly in urban areas through providing more shading and greater surface water retention in our green spaces.

Access to Information	
Contact Officer:	Ralph Kemp, Head of Environmental Services Ralph.kemp@cheshireeast.gov.uk
Appendices:	Appendix A - Green Spaces Maintenance Policy (draft for consultation) Appendix B – Green Spaces Maintenance Schedule – sites registered in Council ownership (draft for consultation) Appendix C – Green Spaces Maintenance Schedule – sites not registered in Council ownership (draft for consultation) Appendix D - Equality Impact Assessment (pre consultation)
Background Papers:	Cheshire East Corporate Plan 2021-2025 - Pdf (browsealoud.com) Medium Term Financial Strategy 2023-2027 - Pdf (browsealoud.com) Environment and Communities Committee Policy proposals p92