

**Decision Maker:** Executive

**For Pre-Decision Scrutiny by Environment PDS Committee on:**

**Date:** 17 March 2015

**Decision Type:** Not Urgent Executive Key

**Title:** **VARIATION TO THE GROUNDS MAINTENANCE CONTRACT TO PROVIDE A WHOLLY MANAGED SERVICE**

**Contact Officer:** Dan Jones, Assistant Director Street Scene and Green Space  
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**Chief Officer:** Nigel Davies, Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

- 1.1 As part of the 2015/16 Budget process all areas of expenditure have been scrutinised by officers with a view to delivering services in a more efficient and effective way, particularly given the significant funding gap identified in the four year forecast. This has included looking at the option of outsourcing services through the Commissioning approach where appropriate.
- 1.2 In light of this scrutiny, this paper proposes to vary the current Grounds Maintenance Contract with The Landscape Group, to include the provision of Parks Management functions currently delivered 'in house', and extend the Contract until 31<sup>st</sup> March 2019.
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2. **RECOMMENDATIONS**

- 2.1 **That the Environment Policy Development and Scrutiny Committee is asked to comment on the proposals in the report, noting the comments from staff, stakeholders and staff representatives as outlined in Appendix B.**
- 2.2 **That the Executive is asked to:**
- i. **Approve the Variation to the current Grounds Maintenance Contract with the Landscape group, to include the functions outlined in this Report, and extend the Contract to 31<sup>st</sup> March 2019 to allow the packaging and tendering of all Streetscene & Greenspace Contracts at that date;**
  - ii. **Agree the transfer of Parks and Greenspace Services and the associated staff, as outlined in Appendix A, to The Landscape Group, as outlined in this report;**

- iii. Delegate to the Executive Director of Environment and Community Services, in consultation with the Director of Resources, the authority to transfer the unplanned maintenance functions associated with parks and greenspaces to The Landscape Group if deemed appropriate.**

## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Quality Environment:
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## Financial

1. Cost of proposal: £9.7m for the variation and extension of existing contract to 31.3.19, with an option to add a further £0.7m for reactive property maintenance. Potential redundancy costs of between £200k and £300k.
  2. On-going costs: Part year savings of between £70k to £110k (2015/16) and full year savings of between 250k and £300k (2016/17 onwards)
  3. Budget head/performance centre: Street Scene and Green Space Division
  4. Total current budget for this head: £30.8m
  5. Source of funding: Existing controllable revenue budget for 2015/16
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## Staff

1. Number of staff (current and additional): 80
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Statutory and Non-Statutory - Government Guidance:
  2. Call-in: Applicable:
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### Drivers for change

- 3.1 The Council's Corporate Operating Principles include a commitment that services will be provided by whoever offers customers and council taxpayers excellent value for money. This is underpinned by a commitment to be a commissioning organisation determining who is best placed to deliver high quality services based on local priorities and value for money principles.
- 3.2 To support this, the Council has undertaken to review why and how we provide services and to identify who is best placed to deliver services.
- 3.3 There is a significant financial driver to consider, with the current reductions in Government funding to the Council forecast to create a gap between income and expenditure currently in the order of £50m by 2018/19.
- 3.4 Subject to Member agreement this proposal would release savings of approximately £70-110k per annum in 2015/16 and £250-300k from 2016/17, whilst maintaining service levels and better integrating the management of operational and community engagement functions in the P&GS service. The final amount will depend on the outcome of on-going negotiations with TLG but is estimated to be up to £1m to 31 March 2019
- 3.5 The proposal will contribute to achieving budget savings from the SS&GS budget of £182K in 2015/16 and £530K for 2015/16 and thereafter.

#### Background

- 3.6 As part of the Commissioning Board's programme, the commissioning of services and the client/contract management functions within the Environment and Community Services Department (ECS) were reviewed.
- 3.7 The review considered the current staffing structures and commissioning arrangements within ECS and reviewed the values and contract lengths of currently outsourced functions and services, as well as current services/functions that are provided 'in house'.
- 3.8 The significant majority (73%) of the ECS budget is within the Street Scene and Green Space Division:

Waste Services	£19.8m,
Street Cleaning	£3.9m;
Parks and Green Space	£6m,
Highways reactive maintenance	£1.7m.

This division also accounts for 21% of the department's headcount.

- 3.9 Whilst the majority of the SS&GS services are provided by contractors there are still a number of services provided by 'in house' teams.
- 3.10 The review therefore focused on three elements:
  - I. the short, medium and long term procurement opportunities, with a view to identifying any possible efficiency from packaging services to the market in a different way i.e. bundling.
  - II. the contract management arrangements in place, and
  - III. the commissioning options for services currently provided by 'in house' teams.
- 3.11 Whilst the potential for largest savings may be possible via alternative procurement options, (although market intelligence and benchmarking indicates LBB contracts already achieve very

good value for money), realistically this procurement repackaging could not take place until March 2019, when the Waste Services Contract will end, without terminating existing contracts at a potentially significant cost and disruption to LBB.

- 3.12 The scope for the greatest potential efficiencies was identified as being the Parks and Greenspace service, where, in addition to a contract management team, a number of functions are delivered by 'in house' teams.
- 3.13 Discussions with Grounds Maintenance Contractors, including the current Contractor, concluded that opportunities exist to release potential efficiencies by including current services provided by LBB within the range of services provided for within an outsourced arrangement.
- 3.14 Considerations were also given to restructuring the contract management functions to provide a fit for purpose function. This will be subject to a separate management restructure in due course.
- 3.15 The review concluded that, whilst potential savings may be achievable in procuring contracts in a different way in the future (2019), the biggest immediate opportunity for saving is in restructuring the contract management arrangements and potentially commission current 'in house' services differently.

### **Options and Outline proposal**

- 3.16 Given the significant financial drivers for change it has been necessary to consider how the functions and services delivered by the P&GS team could be continued whilst realising significant savings.
- 3.17 Work began on considering options, with the target of achieving annual savings of between 10-15% of budget whilst maintaining service levels.
- 3.18 Reorganisation of the current management structure was considered but concluded that whilst the savings could be realised, the loss of staff and resources needed to achieve the cost saving target had too significant an impact upon capacity to enable current service levels/standards to be met.
- 3.19 Consideration was therefore given to how a merging of the LBB functions and the contracted services could realise the savings.
- 3.20 Initial discussions with the current contractor for grounds maintenance, The Landscape Group (TLG), indicated that a fundamental review of both the LBB and TLG organisational structures, functions and operations would result in potential savings to LBB, whilst maintaining service standards.
- 3.21 The Contractor was requested to develop a proposal to deliver efficiency savings whilst maintaining and, where possible, improving service standards by merging the community engagement and development functions with operational delivery, to deliver a more locally focussed operation; more responsive to the needs of local users, friend groups and communities.
- 3.22 The Council has been clear about its purpose and the outcomes that will be expected to be achieved through this process, in particular:
  - Increased efficiencies and reduced costs whilst maintaining Service Standards
  - Assurances that the Council meets its statutory responsibilities whilst passing on operational responsibility and cost management.

- 3.23 Appendix A summarises those functions currently delivered by the Parks and Greenspace Team and details those functions to be transferred.
- 3.24 In summary the proposal achieves budget savings, maintains standards and offers the prospect of giving Bromley Friends' Groups and stakeholders a greater say in what happens on the ground in their communities. It is proposed that a holistic Parks and Greenspace service would be designed based on a Neighbourhood approach with localised teams being responsible for all aspects of the service – both community liaison and the delivery of maintenance duties. This integrates the two aspects of service delivery currently managed by separate organisations (LBB and TLG).
- 3.25 The management contractor will work to a number of Key Performance Indicators that are jointly agreed at the outset of the contract. The contractor would implement a transparent, real-time quality reporting system that can be accessed by Members and Officers. LBB will retain a contract management team to ensure on-the-ground delivery is delivered to the agreed standards. The structure of this team will be subject to a separate consultation following the decision by the Executive.
- 3.26 The proposal from The Landscape Group is the conclusion of a process undertaken over a number of months. It has been scrutinised by LBB officers to ensure that all the functions currently undertaken by LBB staff are addressed in the proposal, that the savings identified may be achieved and that legal and procurement requirements have been met.
- 3.27 Consultation on the principles of possible changes to the way we commission and manage services has been ongoing with Staff and key stakeholders. Appendix B summarises the initial process of Engagement and then Formal consultation, with issues raised and how these have been addressed where necessary.
- 3.28 If Executive accepts the recommendations in this report, it is proposed that the transfer to TLG will take place as soon as practically possible, subject to TUPE consultation.

### **The Variation – Key Elements**

- 3.29 It is proposed to vary the existing Ground Maintenance Contract to include those functions specified in Appendix A, so that it will be in essence a wholly managed service. It will retain the flexibility to vary or remove elements of work from the specification to achieve future savings.
- 3.30 The Scope of the Variation will mean that all Parks Management and Grounds Maintenance functions will be included in the enlarged Contract, given an extension of the current Contract period to March 2019. The rationale for the extension of the Contract period is two-fold.
- a. to enable the contractor to realise the efficiencies; and
  - b. to align the end date of the varied contract with other contracts within ECS department, therefore allowing a strategic approach to commission to be applied.
- 3.31 A Partnership Board would be established to manage the contract. It is proposed that membership includes: the AD Street Scene & Greenspace, the Chief Executive of TLG, other key management posts from LBB and TLG. The 'Board' will manage the strategic direction of the Parks and Greenspace service; set targets for performance and key deliverables, together with establishing the freedoms to be allowed at a local level in service choices, all within the Council determined Budget.
- 3.32 The Board will receive an Annual Plan from TLG for achievement of the performance and deliverables set by the Board, and monitor delivery quarterly. The Board will maintain a Contract monitoring function, which will through a process of joint monitoring with the Contractor, assess

performance against an output based performance framework based upon agreed service standards, together with a set of key deliverables. Performance, as reported through the Quarterly Report to the Board will be linked to overall payment to the Contractor. In addition to the current KPIs for the GM contract, Key Performance Indicators and key deliverables would include:

Service Response Times to Customer Enquiries	Value of external grants received
Customer Satisfaction	Delivery of annual action plan targets
Level of complaints	Delivery against key actions/milestones in key strategic documents.

- 3.33 To assist in the strategic management of the P&GS service it is proposed that a Stakeholder Engagement Panel is established to engage with interested local groups and organisations, such as The Friends Forum, delegated sport managers, allotment associations and other similar groups. The panel would help to inform the development and delivery of the Annual Action Plan which would include actions relating to the Bio Diversity Plan and management plans for parks, SSSI, heritage sites and Woodland works.
- 3.34 Performance of the contract will be scrutinised in line with corporate procurement regulations, via an annual report presented to the Environment PDS and the Executive.
- 3.35 The Variation extends the Contract to the 31<sup>st</sup> March 2019, from 31<sup>st</sup> December 2017, this will allow the service to be included in a larger package of services, including Waste Services, Street Cleansing and Highways Maintenance, which fits with the strategic objectives for the SS&GS Division to commission services between 2017-19. It is hoped this strategy will provide the potential for further efficiency savings at that time.
- 3.36 The Service also currently spends approx. £200k pa in maintenance of the Parks Infrastructure. Discussions are currently underway with TLG to see if they are able to bring forward a proposal for management and delivery of this work, that demonstrates value for money when compared with the existing service. This would enhance the local service structure this variation should deliver, and allow local users and communities to resolve many parks operational issues with devolved parks officers.
- 3.37 It has not been possible to conclude these discussions on Parks Infrastructure Maintenance and obtain a financial proposal from the Contractor and undertake appropriate consultation in time for this Report. It is therefore recommended to delegate to the Executive Director of ECS in consultation with the Director of Resources, the authority to approve the inclusion of Parks Infrastructure Maintenance in this variation, if he is satisfied that the proposal represents value for money to the Service.
- 3.38 Any such proposal regards Parks Infrastructure Maintenance would be the subject of consultation with any affected staff and their representatives before final decisions are taken.

#### **4. POLICY IMPLICATIONS**

- 4.1 Moving to a Commissioning Authority is in line with the Corporate Operating Principles and is key to achieving the Building and Better Bromley 2020 Vision to ensure that services continue to provide as efficiently and effectively as possible, in light of the financial pressures facing the Council over the next few years.
- 4.2 The proposal supports Bromley’s Corporate Operating Principle to “*encourage and empower the voluntary sector, community groups and individuals to take more control of how their local area and its resources are managed*”.

## 5. FINANCIAL IMPLICATIONS

5.1 The transfer of the Parks and Green Space Services to The Landscape Group as proposed in this report will generate part year savings of between £70k and £110k in 2015/16 and full year savings of between £250k and £300k from 2016/17 onwards. The final amount will depend on the outcome of on-going negotiations with TLG but is estimated to be up to £1m to 31 March 2019. The contract variation would also stipulate the need to deliver annual efficiency savings from 2017/18.

5.2 Savings of £182k have been included in the 2015/16 budget, with an expected full year effect of £530k for 2016/17, from the restructuring of the Street Scene and Green Space division including; a fully commissioned park service and a review of the client contract monitoring function across the whole division. The table below provides details of the estimated part year and full year savings: -

	2015/16	2016/17
	£'000	£'000
Agreed budget option	182	530
Delivered by: -		
Fully commissioned park service	-90	-280
Client review functions	-92	-250
	<b>-182</b>	<b>-530</b>

5.3 The result of the future staffing review may give rise to redundancy costs of between £200k and £300k. LBB will indemnify TLG for costs attributable to the redundancy of transferees from LBB. This cost will be met from the central contingency provision set aside for redundancy/early retirement costs arising from budget options.

5.4 The maximum amended contract value could be £40.3m as shown in the table below: -

	Contract Value £m
Contract spend to 31.3.15	21.5
Estimated contract spend to 31.12.17	8.4
Value of variation for additional parks service to 31.12.17	3.9
Total value of contract to 31.12.17	<u>33.8</u>
Value of extension to 31.3.19	5.8
<b>Total value of contract to 31.3.19 excl property maint</b>	<b><u>39.6</u></b>
Value of property reactive maintenance to 31.3.19	0.7
<b>Total maximum value of TIG contract to 31.3.19</b>	<b><u>40.3</u></b>

## 6. LEGAL /PROCUREMENT IMPLICATIONS

6.1 The existing Grounds Maintenance contract was formally procured following a full tender process in 2007 and runs for ten years from Jan 2008.

6.2 The General classification of services, in the OJEU Notice placed, does not differentiate between Client Management and Contractor functions as such, and an opportunity now exists to rationalise these arrangements under the contract by means of a variation / extension order



in order to seek economies of scale and reduced service costs. This is possible under the categorisation as “B” services. A Voluntary Ex-Ante Transparency Notice will be issued.

6.3 The extension would be for 15 months and there will need to be a fresh formal procurement process (under the new Regulations), for a Contract to commence in April 2019

## 7. PERSONNEL IMPLICATIONS

7.1 The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply to this situation. Currently there are 30 people employed with the combined teams who it is proposed would TUPE across to TLG if members agree to the proposals within this report. The posts affected are set out in Appendix A.

7.2 Staff within P&GS have been engaged and consulted on the principles of possible changes to the way services are commissioned and managed in the process of developing this report. Following a Divisional meeting on the 8 September 2014, staff were written to and the outline proposal was communicated to them. Team meetings were held between 6-16 October 2014 and the opportunity to feedback via email and in person was offered. A formal consultation process commenced on 19<sup>th</sup> January, when staff and their representatives were informed of the proposals to change the way Parks Services are commissioned and managed by way of a transfer to TLG, and given the opportunity to comment and submit any other viable proposals. Staff and their representatives were also invited to a meeting with TLG on 18 February and provided with an overview of the company.

7.3 A summary of the main questions raised by staff together with the management response is provided in Appendix B. Whilst staff recognised that there is a need to make changes and find efficiencies to achieve the required savings, they queried the appropriateness and principles of outsourcing the management and community engagement functions and questioned how the desired savings could be realised whilst maintaining service levels. They also sought further information as to how the proposed variation would be managed, and had some concerns as to how the proposals would impact on them personally.

7.4 Should the transfer to TLG be agreed then a further period of consultation on the detailed transfer proposals would take place with staff and their representatives in accordance with TUPE and Council’s Managing Change Procedures. This will enable staff to explore in more detail the impact of the transfer on their employment situation.

7.5 In addition there are 8 staff currently within the P&GS team who will be subject to a management restructure as part of the wider SS&GS reorganisation.

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	E&LS PH 10/07-2 Grounds Maintenance Contract Award – 31 October 2007

Below are a summarised list of functions currently carried out by LBB Parks and Green Space Team. The following list of P&GS functions\* are within scope of the proposals:

- **Community and Development Team (excluding the post of Environmental Campaigns Officer)**
- **Countryside management**
- **Forest and woodland management**
- **Environmental Education**
- **Parks Improvement & Development**
- **Healthy Communities**
- **Community Partnership and Development**
- **Biodiversity and Natural Heritage Management**
- **Fund Raising**
- **Play, Landscaping and Project Management**
- **Rangers Service**

\*A list of the roles and tasks for each of the functions above have been compiled and shared with all staff within P&GS for comment. These have then been used to develop a specification.

The Grounds Maintenance Contract Management Team and the Arboriculture Team are excluded from this proposal.

There are 30 people (27.43 FTEs) currently working in the above functions included in the scope of this proposal. The posts affected by the proposals in this document are identified in Table 1

**Table 1 – Posts affected**

<b>Post</b>	<b>Job Title</b>
2486	Head of Parks and Greenspace
13624	Contracts Assistant
11009	Community Partnerships Officer
11604	Development and Community Manager
12130	Healthy Communities Officer
13518	Principal Community Development Officer
13519	Biodiversity and Natural Heritage Officer
13628	Senior Fundraising Officer
13629	Fundraising Assistant
9886	Environmental Education Instructor
10207	Recycling Project Officer
11857	Environment Education Team Leader
13517	Countryside Development Officer
	Principal Greenspace and Countryside Development Officer
13625	Officer
13627	Community Forest Officer
11595	Landscape Project Officer
11602	Principal Play and Projects Officer
2513	Senior Ranger
2518	Ranger
2520	Ranger

13520	Ranger
13631	Events and Contracts Coordinator
13632	Senior Ranger
13633	Ranger
13634	Ranger
13635	Ranger
13636	Ranger
13637	Ranger
13638	Ranger
13639	Ranger

**Variation of the Grounds Maintenance contract -  
Proposal for a wholly outsourced Parks and Greenspace service**

## **Outcome of staff and stakeholder consultation**

During the formal consultation stage during January and February 2015, a number of questions were received from both staff and other stakeholders; such as Friends of groups, delegated sports providers; representatives from leisure gardens and allotments and other interest groups. As a result of that undertaking, a number of consistent themes emerged which are summarised below together with the management response.

### **1 ASSET MANAGEMENT/RECORD KEEPING**

**Question: How will the Council be confident that its assets are being adequately maintained and appropriate records kept?**

**Response:** The Landscape Group (TLG) will maintain existing secure information (as it currently undertakes with its cemeteries and burial records) as part of 'intellectual' data at potential transfer; and will under the contract documentation, be required to keep this updated and returned at the end of the contract period. This will likely be stored within appropriate mechanisms largely within their offices/accommodation. TLG will be governed by the Data Protection Act and will only be given relevant information needed for the delivery of the contract.

All of the assets and equipment will remain in the ownership of the London Borough of Bromley. TLG will merely be an agent of the Authority acting on its behalf

**Question :** **How will the current insurance arrangements be varied in the proposal?**

**Response:** Claims for accidents resulting from TLG's negligence will be subject to TLG's own policy for this with their own insurers. Where the negligence is not TLG's responsibility, the claim will be against the London Borough of Bromley's via its insurers. Similarly, the Public Liability insurance cover provided for Friends whilst 'volunteering' will remain in place.

### **2 GOVERNANCE AND CONTRACT MANAGEMENT**

**Question: How will the proposed contract variation will be managed and governed?**

**Response:** It is proposed that a Partnership Board will be established to manage the contract. Proposed membership includes: the AD Street Scene & Greenspace, the Chief Executive of TLG, and other key management posts from LBB and TLG. The 'Board' would agree the strategic direction of the Parks and Greenspace service and set targets for performance and key deliverables, together with establishing the freedoms to be allowed at a local level in service choices, within the Council determined Budget.

The Board would receive an Annual Plan from TLG for achievement of the performance and deliverables set by the Board, and monitor delivery quarterly. The Board would maintain a Contract monitoring function, which, through a process of joint monitoring with the Contractor, would assess performance against an output based performance framework based upon agreed service standards, together with a set of key deliverables. Performance, as reported through the Quarterly Report to Board would be linked to overall payment to the Contractor.

LBB would retain a staffing resource to conduct the contract management function.

In addition, to assist in the strategic management of the P&GS service it is proposed that a Stakeholder Engagement Panel is established to engage with interested local groups and organisations, including The Friends Forum, The Leisure Gardens and Allotments Consultative Panel, The Countryside Consultative Panel and representative members of the delegated sports community

This panel would help to inform the development and delivery of the annual action plan.

**Question: How will LBB make strategic and policy decisions that affects the broad and varied aspects of Parks and Greenspace?**

**Response:** Under advice and guidance from LBB officers, Elected Members will continue to set the strategic direction of the P&GS service; develop policy and scrutinise the delivery of the service. TLG will prepare and update strategic and operational plans for approval by the relevant AD and the Partnership Board.

**Question: How will the Council ensure that the services in the proposal are actually delivered?**

**Response:** A reorganisation of Council's Street Scene and Greenspace client staff who are not identified in the 'transfer list' will be undertaken in tandem with those moving to TLG. It would be the responsibility of the new Client team to monitor contracts and service delivery. Staff who transfer and are employed by TLG will remain the acknowledged experts in their areas of operation – being best suitably qualified to specify, deliver and review outcomes and satisfaction in partnership with the Council. This will be underpinned by a robust reporting procedure to a joint LBB/TLG Board which will meet regularly to review and assess performance and future development/service improvement opportunities.

### **3 COMMISSIONING AND PROCUREMENT**

**Question Why is there a need to commission the service differently now, rather than when the GM contract expires?**

**Response:** There is a significant financial driver to consider, with the current reductions in Government funding to the Council forecast to create a gap between income and expenditure currently of the order of £53m by 2018/19. Whilst there is an option to 'salami slice' the budget further to achieve savings, this proposal is considered more favourable as it seeks to maintain, and if possible, improve services whilst delivering a saving. Waiting until 2019 to realise savings is not an option given the significant budget gaps forecast.

If the proposal does not proceed, then savings of £530k for 2016/7 and thereafter, will still have to be found from the Street Scene and Greenspace budget. Without adopting a holistic view of how the Parks and Greenspace Service could be delivered differently, this would likely mean a number of functions will have to cease and this could affect the viability/critical mass for any future option.

Question: **Have other options been considered?**

Response: Reorganisation of the current management structure was considered but concluded that whilst the savings could be realised, the loss of staff and resources needed to achieve the cost saving target had too significant an impact upon capacity to enable current service levels/standards to be met. Consideration was also given to the establishment of Trusts and Community Interest Companies (CIC), however, these were deemed not to be financially viable options at this time.

#### **4 SUPPORTING VOLUNTEERS**

Question: **What changes will friends of parks and other voluntary groups expect to see if the proposal proceeds?**

Response: Should the proposal be agreed, Friends, voluntary groups and key stakeholders would expect to see the same level of resource and commitment that is currently delivered by LB Bromley staff. In addition, it is envisaged that grounds maintenance and other services can be 'tailored' to meet local requirements in a way that is not possible under the current contracting arrangements. Operational staff will play an enhanced role in resolving local issues and ensuring overall satisfaction in their area.

Question: **What will happen to the respected umbrella organisations like the Friends Forum'?**

Response: The Friends' Forum would continue to be fully supported under the proposals; with TLG managers and staff, facilitating and serving this organisation and ensuring that key strategic documents like the '*Toolkit*', '*Programmes of Work*' and '*Insurances*' are maintained and further developed. It is intended that an organisation such as the Friends' Forum should be included within any scrutiny arrangements, as an independent party with Elected Members, Council Officer and key personnel from TLG's corporate Management. In addition TLG have proposed to make major presentations to primary organisations, including the Consultative Panels, throughout 2015 and possibly on an annual basis thereafter.

Question: **Will voluntary groups be expected to undertake unpaid work for which TLG could invoice the Council?**

Response: No. Friends 'volunteer' for their community, not any external provider nor the Council. They undertake many valued tasks including grant applications, developments, research and maintenance operations - none of which currently are undertaken or budgeted for by the Council. Neither TLG nor the Council will be able to take any payment, or profit financially from the activities of volunteers.

Question: **Under the proposals, will TLG seek to reduce support for the provision of allotments or sports within the Borough?**

Response: The proposals place the community at the very core of the intended service. TLG managers and staff will continue to support the Elected Member meetings including the Leisure Gardens & Allotments and Countryside Consultative Panels, arrange the appropriate annual tours and receptions and continue to deal with both day to day issues and arbitration hearings. Delegated sports organisations will receive the same level of assistance as currently exists, including identifying and applying for grants for improvements to both pavilions and pitches.

Question: **What confidence can countryside volunteers take from the proposal?**

Response: TLG have proposed an integrated service that it is envisaged will retain the current skill base held by LBB's Parks and Greenspace officers who currently carry out important conservation work. Both parties are aware of the statutory sites and the habitat and management plans that are required for this purpose. TLG has indicated that it would wish to retain the key skills of transferring LBB staff in the delivery of the countryside and habitat management function who would continue to interact in much the same way with Bromley's Countryside Friends and Volunteers under any contractual arrangements, if agreed.

However there are additional benefits arising from the fact that because the grounds maintenance teams and the countryside management team would be within the same organisation; this would greatly improve communication, help to ensure that sensitive habitat is not damaged through lack of knowledge, and provide a more flexible resource when specific projects are required to be delivered.

## **5 COMMERCIAL SENSITIVITY**

Question: **Why have details of the savings not been made available at this stage?**

Response: The savings are identified in the letter to staff, unions and stakeholders sent at the commencement of formal consultation. A detailed breakdown of the proposal is commercially sensitive at this stage and Elected Members are being asked only to vary an existing contract which will generate a saving.

## **6 HR IMPLICATIONS**

**How many posts are affected and what would the impact on staff be?**

There are 30 people currently employed in the functions which it is proposed to transfer as identified in the consultation paper circulated on 19 January. TUPE would apply to the transfer. This means that staff terms and conditions are preserved/protected at the point of transfer except for any measures identified by TLG as part of the TUPE information and consultation processes. Should the transfer to TLG be agreed then a further period of consultation on the detailed transfer would take place with staff and their representatives in accordance with TUPE and Council's Managing Change Procedures. Staff raised a number of detailed questions about TUPE and the impact on their continuing employment; they have received a written response addressing these issues and will have the opportunity to continue these discussions as part of any TUPE transfer process.