

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Leader and Cabinet

8 June 2006

**AUTHOR:** Chief Executive

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### FUTURE MANAGEMENT OF MILTON COUNTRY PARK

#### Purpose

1. This report sets out the results of `market testing' the future management of the park and proposes further investigation into the course of action to be followed.

#### Effect on Corporate Objectives

2. Quality, Accessible Services	The park provides easy access to a countryside environment, which is highly valued by visitors.
Village Life	The park plays an important part of village life in Milton while also serving residents from other areas.
Sustainability	Areas of woodland contribute to the sustainability of the area.
Partnership	Opportunities for partnership are explored in the report.

#### Background

3. Milton Country Park has been operating for 13 years, providing a country park service for residents of South Cambs, which also attracts many visitors from Cambridge. The facilities have been gradually improved during that time, although these have mainly been developments within the overall park design when it was established, rather than major changes.
4. The park is the only leisure facility provided by the Council, and it has enjoyed considerable support as a significant amenity for the whole area. At the celebrations of the first 10 years of the park in 2003, the `flagship' nature of the park service for the Council was celebrated. However, this singularity has led to questions about the long-term viability of the park's service; neighbouring authorities have a range of venues to manage, with a team of staff able to provide support and cover across them.
5. As part of the Council's budget savings arising from capping, a set of budget reductions were put forward for the park, along with increased levels of income. Cabinet considered a report on 9 February 2006 concerning improvements at the park to achieve these net reductions. However, members did not agree to the proposals in this report, and it was withdrawn. Members clear wish was to explore the options for the park's future management, in order to reduce the cost borne by the Council.
6. With the advice of the Council's Procurement Office, an information pack about the park was prepared in order to `test the market'. This information was sent out to organisations that had expressed an interest in considering the management of the park, or which officers believed had the appropriate skills and might be interested. The cover letter and the Contents page of the pack are shown in **appendix 1**. The organisations were:

- Cambridge City Council
- Cambridge Mencap
- Cambridge Preservation Society
- Huntingdonshire District Council
- Milton Parish Council
- The National Trust
- The Royal Society for the Protection of Birds
- The Varrier Jones Foundation
- The Beds, Cambs, Northants and Peterborough Wildlife Trust

The documents were sent out on 13 April, with an opportunity to visit the park on 25 April, and a return date of 12 May.

7. During this period the College of West Anglia, which has a site in Milton, contacted the Council and formally expressed an interest, setting out how the park might fit in with their local operation. They have subsequently been sent the information pack.

### **Considerations**

8. Seven of the organisations have responded. Of these, four have declined the prospect of participation in the management of the park, generally due to other commitments. Two of the responses have expressed support for the continuation of the park's service: the RSPB mention their good working relationship with the Rangers, as they work with them operating a Wildlife Explorers Group in the park, and are keen to explore further development of the park's events programme.
9. The response from Cambridge Preservation Society, states: "...under no circumstances would we support any closure of the park as it is the only strategic public green space provision to the north-east of the City and its surrounding villages. Compared with the other three country park provisions (Wandlebury Country Park, Magog Down and Coton Countryside Reserve) it provides the only close by and larger scale wetland habitat, recreational area and thus is complimentary in many ways. We would support any endeavour to retain the well managed country park in the public domain particularly considering the significantly increasing population and current lack of accessible green space in this area."
10. Positive responses have been received from Cambridge Mencap and Milton Parish Council, as well as the letter mentioned above from the College of West Anglia. Both Mencap and the College are primarily interested in taking on the management of park themselves, under a medium to long-term agreement; Mencap propose to do this through setting up a Community Trust that would be "representative of all sectors and interests".
11. The Parish Council also proposes the creation of a charitable trust to run the park, but sees this as a partnership between this Council, themselves, users of the park and possibly other agencies. They see this model allowing us to set the broad aims of the park, with the trust deciding how to manage the park within them. Under this proposal the users and the villagers of Milton would have greater 'ownership' of the park, and it would generate more direct involvement, for example through volunteering.
12. The three positive responses are included in **appendix 2**. This is a confidential appendix, on the grounds of commercial sensitivity.

## **Options**

13. There appear to be three main options available:
  - a) To put out the management service to tender, advertising the contract in order to comply with the Council's standing orders.
  - b) To work with other interested parties to set up a partnership, probably through a trust, to take on the management.
  - c) The Council continues to manage the park, increasing the income levels, probably through introducing parking charges and a more commercial catering operation, either through a franchise or run in-house.
14. The tending of a service is the established way in which to obtain 'best value' for a defined set of services. However, the responses from the 'market testing' have reinforced officers' views that we are not in a situation where it is possible to define the appropriate form of service for the future. The responders refer to the need to develop the service in various ways, and would require freedoms to be able to do this. Each responder will have its own vision of what would be viable. So we are not in a situation where we could compare 'like for like' services. We also do not have any detailed specification for the service, and additional resources and a period of time would be required if we had to prepare one.
15. The partnership option is favoured in at least one response, and the idea of setting up some form of community trust in two responses. There appears to be considerable scope in such a proposal, and it has the merit of enhancing community engagement, and enjoys the support of the local Parish Council. However, it is not a straightforward proposal, and would require further investigation as outlined below.
16. Continuing to manage the park within the council was the preferred option according to the public meeting held at the park in January this year, and this would most clearly demonstrate the Council's continuing commitment to the park as a 'flagship' service. This option leaves all the financial risk with the council, unless some of it was to be shared with commercial franchisees who took on the catering. It may also be possible to boost income through more commercial events arranged by the Council at the park.

## **Financial Implications**

17. There are no immediate financial implications from this report, although if additional expertise or significant officer time is required, there could be some additional costs. It is not clear if these could be contained within current budgets.
18. As the detailed proposals for income generation put forward in the cabinet report in February were not agreed, the income budgeted for in 2006/07 is not being generated. As a result the current budget for the year may be exceeded.

## **Legal Implications**

19. The Council's legal position with regard to the park is not straightforward. Much of the park is owned freehold, but there are three notable exceptions:
  - a) The section of the park to the south of the 13<sup>th</sup> public drain, including the car park, visitors centre and play area, is held on a long lease, restricting its use to that of a country park

- b) The central section of the park, between the main lakes and including Hall's Pool, is owned by the County Council and licensed to this Council, subject to termination on either side at six months notice.
- c) The area at the north-western corner, managed as part of the park, is owned by Milton Parish Council and managed by agreement with them.

This ownership position affects the Council's options with regard to the future of the park.

- 20. The proposals put forward by Milton Parish Council and Cambridge Mencap, to establish some form of Trust to take on the management of the park, have merit in changing the status of the park. There are currently a number of new options for land ownership that would facilitate a trust. Many local authorities are transferring such services to leisure trusts or companies, as they provide a number of financial freedoms denied to local authorities.
- 21. Advice on the legal situation with regard to possible procurement of management services, and of option for some form of partnership arrangement, have been provided by the council's Legal service and the Procurement Officer. Further work will be required to examine options in more detail, and it may require some specialist legal advice.

### **Staffing Implications**

- 22. If the park were to taken into other management, the Transfer of Protection in Employment (TUPE) regulations would apply, with the current staff transferring to any new management body on their existing terms and conditions. These include both remuneration and housing, as two members of staff have service tenancies tied to their jobs. Currently the third permanent post is being covered through temporary staffing, as permanent recruitment has not proved successful.
- 23. Preparation of more detailed options may require additional staffing resources, depending on the level of work required.

### **Risk Management Implications**

- 24. The current risks to visitors from the trees, lakes, bridges etc at the park are managed through the continuing work of the Rangers, though pollarding/coppicing and maintenance of structures and warning signs. The future management will need to maintain the park in a manner to keep these risks to a low and acceptable level.

### **Consultations**

- 25. The consultations with interested organisations are set out in the body of the report. The Milton Country Park Advisory Group, which includes representation from the Friends of the park and the Parish council, was consulted through a meeting on 15 May. Their conclusion was that a partnership arrangement, possibly including setting up a community trust, appeared to be the most suitable option.

### **Conclusions/Summary**

- 26. The market testing has shown that there is some interest amongst local agencies in the management of the park, although this is limited. Some agencies are not able to consider it due to existing commitments to expand other countryside provision,

though they are interested in the continuation of Milton Country Park. This has been somewhat disappointing, but is understandable.

27. Those who are interested have different visions of the future. In the light of this, and our knowledge of the variety of ways in which the service could be developed, officers believe that tendering the service is unlikely to be the way forward. Further investigation is required into the practicality of the options including the possibility of setting up a trust, in order to arrive at a proposal to achieve the aims of reducing the Council's expenditure while ensuring the park remains available for the enjoyment of residents.

### **Recommendations**

28. Cabinet is recommended to:
- (a) Note the responses received to the 'market testing' exercise, and
  - (b) Investigate the options further, with the aim of securing the future management of the park at a greatly reduced cost to the Council.

**Background Papers:** the following background papers were used in the preparation of this report:

- Cabinet report of 9 February 2006 entitled Improving Facilities at Milton Country Park.
- Contents of the Information Pack sent to interested organisations
- Leisure, Arts and Culture Trusts course outline for 6 July 2006 course by the Institute of Local Government Studies, University of Birmingham
- Correspondence with organisations listed in paragraph 6 of the report: NB some of this correspondence is commercially confidential
- Minutes of MCP Advisory Group dated 15 May 2006

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