



Doncaster Council

Agenda

To all Members of the

CABINET

Notice is given that a Meeting of the Cabinet is to be held as follows:

Venue: Council Chamber, Civic Office, Waterdale, Doncaster, DN1 3BU

Date: Wednesday, 10th August, 2022

Time: 10.00 am

BROADCASTING NOTICE

This meeting is being recorded for subsequent broadcast via the Council's web site. The Council is a Data Controller under the Data Protection Act and images collected during this recording will be retained in accordance with the Council's published policy. Please be aware that by entering the meeting, you accept that you may be recorded and the recording used for the purpose set out above.

Damian Allen
Chief Executive

Issued on: Tuesday, 2 August 2022

Governance Services Officer for this meeting:

Amber Torrington
01302 737462

Doncaster Metropolitan Borough Council

www.doncaster.gov.uk

Items

1. Apologies for Absence.
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
3. Public Questions and Statements.

(A period not exceeding 20 minutes for questions and statements from members of the public and Elected Members to the Mayor of Doncaster, Ros Jones. Questions/Statements should relate specifically to an item of business on the agenda and be limited to a maximum of 100 words. As stated within Executive Procedure Rule 3.3 each person will be allowed to submit one question/statement per meeting. A question may only be asked if notice has been given by e-mail to the Governance Team no later than 5.00 p.m. on Friday, 5th August 2022. Each question or statement must give the name and address of the person submitting it. Questions/Statements should be sent to the Governance Team, Floor 2, Civic Office, Waterdale, Doncaster, DN1 3BU, or by email to Democratic.Services@doncaster.gov.uk).

4. Declarations of Interest, if any.
5. Decision Record Forms from the meeting held on 20th July 2022 for noting (previously circulated).

A. Reports where the public and press may not be excluded

Key Decisions

- | | |
|--|----------|
| 6. Creation of a Dynamic Purchasing System Contract for Education and Social Services Related Transport. | 1 - 8 |
| 7. Doncaster Council - Biodiversity Net Gain - Biodiversity Offsetting Contributions. | 9 - 24 |
| 8. To accept funding to make improvements to the Trans Pennine Trail. | 25 - 40 |
| 9. Sport England Strategic Facilities Fund - Askern Leisure Centre / Campsall Park Project. | 41 - 52 |
| 10. Household Waste Recycling Centre (HWRC) Management Contract. | 53 - 88 |
| 11. Acceptance of funding for the Bentley and Rossington GP Hubs and associated demolition of Bentley Library. | 89 - 102 |

Cabinet Members

Cabinet Responsibility For:

**Chair – Ros Jones, Mayor of
Doncaster**

Budget and Policy Framework

**Vice-Chair – Deputy Mayor
Councillor Glyn Jones**

Housing and Business

Councillor Lani-Mae Ball

Portfolio Holder for Education, Skills and
Young People

Councillor Nigel Ball

Portfolio Holder for Public Health, Leisure,
Culture and Planning

Councillor Joe Blackham

Portfolio Holder for Highways, Infrastructure
and Enforcement

Councillor Rachael Blake

Portfolio Holder for Children’s Social Care,
Communities and Equalities

Councillor Phil Cole

Portfolio Holder for Finance and Trading
Services

Councillor Mark Houlbrook

Portfolio Holder for Sustainability and Waste

Councillor Jane Nightingale

Portfolio Holder for Corporate Resources

Councillor Andrea Robinson

Portfolio Holder for Adult Social Care

This page is intentionally left blank



Doncaster Council

Transport for Education and Social Services Related Contract Report

Date: 10th August 2022

To the Chair and Members of the Cabinet

CREATION OF A DYNAMIC PURCHASING SYSTEM CONTRACT FOR EDUCATION AND SOCIAL SERVICES RELATED TRANSPORT

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Lani-Mae Ball	All Wards	Yes

EXECUTIVE SUMMARY

1. The purpose of this report is to provide background and obtain approval for a new Dynamic Purchasing System (DPS) contract for the provision of Education and Social Services related transport and travel assistance. There will not be any additional costs in implementing this new DPS contract, as it will replace the existing one, which is approaching the end of the contract period. It is also to gain approval to utilise the transport budget to pay for the transport costs arising from this contract. The provision of travel assistance is a contributing factor to the Education and Skills Strategy 2030 and Doncaster Delivering Together to enable all children and young people to achieve their full potential.
2. The primary responsibility for ensuring pupils and students attend school or college is always that of the parent or carer. In certain circumstances however, in order to ensure attendance, Doncaster Council can assist with travel arrangements.
3. Travel Assistance is provided by a mixture of both an internal fleet at some schools and externally contracted taxis and minibuses. This contract relates to the procurement of external service only and not the internal fleet. Better value options for home to school transport will continue to be explored and a feasibility study will be undertaken in relation to growing the internal fleet. The creation of this contract will not impact on or delay decisions in respect of increasing the internal fleet.
4. The current DPS contract was originally created in 2017 for a period of 4 years with the option to extend for a further 3 years on an annual basis. Due to the Covid Pandemic, the decision was taken in early 2021 to extend the contract for one year to end in November 2022. This paper relates to the

www.doncaster.gov.uk

procurement of the new contract to enable the dynamic purchasing of external providers to provide home to school transport routes.

Why is it a key decision?

5. The proposal to create and implement a new DPS contract and spend the transport budget will have an impact on communities across all Doncaster Wards. This contract will ensure that we can continue to fulfil our statutory duty to provide travel assistance to some of the most vulnerable children and young people in Doncaster.

EXEMPT REPORT

6. This report is not exempt

RECOMMENDATIONS

7. Cabinet Members are asked to:-
 - Note the contents of this report
 - Approve the creation and implementation of a new DPS Contract and permit the award routes from the DPS Contract during its term
 - Approve the use of the transport budget to meet costs incurred under this contract

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

8. The creation and implementation of a new DPS contract means that we can continue to meet our obligations to provide travel assistance to eligible families, which includes some of the most vulnerable families in Doncaster. By continuing to provide this assistance, pupils and students arrive in school in a timely manner ready for the school day, which aids the development of essential life skills
9. This will incur expenditure as routes awarded to taxi and minibus firms will need to be paid for. However, this will ensure that pupils and students are able to access education who may otherwise have not been able to do so.

BACKGROUND

10. The provision of home to school transport for certain categories of eligible children is a statutory duty of the Council. Due to the nature of their needs, not all children are able to walk to school or to travel on public transport. Therefore, the Council has a duty to seek suitable alternative provision. Additionally, pupils with Special Educational Needs and Disabilities (SEND) often attend schools which are some distance from their homes if that is the school which can best meet their needs and this often means transport across Doncaster or even outside of the borough
11. This alternative provision can take many forms and our aim is to provide as many pupils and students as possible with the skills to travel between home and school/college independently either walking or via public transport. Additionally we provide bus passes, mileage allowances or personal budgets to enable families to make their own arrangements where this is an

option. For those pupils who need additional support there is transport in the form of a taxi or minibus, which picks the child up from their home area and takes them directly to the school they attend. These taxis and minibuses must be procured in accordance with procurement regulations and a contract has to be in place between the firms undertaking the transport and the Council to ensure that everyone is aware of the terms and conditions of the work offered and undertaken. This includes ensuring that all licenses and permits meet any applicable licensing environmental standards. This is included in the current DPS contract, which is due to come to an end shortly and will also be included in the new DPS contract.

12. The total transport budget for 2022/2023 is £5,819,270 in 2021/2022 it was £5,408,890 and total expenditure was £5,739,284. The population in Doncaster continues to rise and this has meant an increase in the number of pupils and students with complex needs. Therefore has been rapid growth in the number of requests received for home to school and college travel assistance to be provided by Doncaster Council. These requests are reviewed on an individual basis to ensure that transport is only provided where necessary but this growth is expected to continue which will mean a further increase in expenditure. A new contract may generate renewed interest amongst taxi and minibus firms and increase competition for this work. There is no additional cost to the Council of implementing a new DPS contract; this will just replace the existing contract.

OPTIONS CONSIDERED

13. Option 1: Do nothing. This will mean that the existing contract will cease in November 2022 and we will no longer be able to perform our statutory duty to provide transport where necessary, as we will no longer have a Framework from which to tender for transport routes or offer work to contractors.
14. Option 2: Extend the existing contract for a further year. This is permissible under the terms of the current contract but is only delaying the inevitable, as a new contract will have to be put into place at some point.
15. Option 3: Consider increasing the Council's internal fleet to deliver more Home to School Transport. This option has been considered however, due to the long lead in time to obtain minibuses and recruit staff this would not be viable before the expiry of the current contract leading to pupils not being able to travel to school and the failure of our statutory duty. Additionally the electric minibuses currently on the market would not be fit for purpose for this type of usage. Some routes would still require taxi transport as only one or two pupils travel and therefore a contract would always be required for a proportion of the transport operated. This option does require further consideration in the future including plans for a gradual increase in the internal fleet once suitable vehicles are available. The notice clause in the contract means that we would be able to move to this option with relative ease in the future once it has received full consideration and approval
16. Option 4: Approve the creation and implementation of a new DPS contract and the use of the transport budget to fund transport to schools and colleges under this contract whilst continuing to explore more cost effective and sustainable options.
This is the recommended option

REASONS FOR RECOMMENDED OPTION

17. The creation of a new DPS contract will enable the Council to continue to meet its statutory duty to provide transport and travel assistance to children and young people across the Borough. This must be paid for and the transport budget is there for this purpose

IMPACT ON THE COUNCIL'S KEY OUTCOMES

18.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	<p>The creation of a new contract enabling us to continue transporting children and young people will contribute towards these outcomes</p>

	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>The creation of a new contract enabling us to continue transporting children and young people will contribute towards these outcomes</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	

RISKS AND ASSUMPTIONS

19. With the increased cost of living and fuel price increases, it is likely that the transport budget will not cover the full costs of home to school transport. This was the case in 2021/22 and is a trend, which is likely to continue. A new contract with the potential for increased competition amongst operators will help to improve competition and make prices more competitive.
20. Following the recent pandemic there is a shortage of bus drivers and many taxi drivers have also sought alternative, more stable employment. This, together with the increase in requests for transport and travel assistance, means that some firms are approaching capacity in terms of the work they are able to undertake for us. The advertisement and launch of a new contract may renew interest in this type of work and attract new suppliers to the contract.

LEGAL IMPLICATIONS

[Officer Initials: NJD Date: 03/05/2022]

21. The Council has a statutory duty to make such arrangements as they consider necessary to secure suitable home to school transport is made for eligible children in accordance with Section 508B of the Education Act 1996.
22. Section 508C of the Education Act 1996 gives the Council the discretion to make such school travel arrangements as they consider necessary who are

not eligible children for the purposes of section 508B of the Education Act 1996.

23. Regulation 34 of the Public Contracts Regulations 2015 permits the Council to set up and use a dynamic purchasing system (DPS) for commonly used purchases the characteristics of which, as generally available on the market, meet their requirements.
24. The procurement of the DPS must be carried out in compliance with the Council contract procedure rules and the Public Contracts Regulations 2015.
25. Legal should be consulted to prepare the required legal documentation.

FINANCIAL IMPLICATIONS

[Officer Initials: LS Date: 29/04/22]

26. There are no additional costs to the Council from the proposal for a new Dynamic Purchasing System (DPS) contract for the provision of Education and Social Services related transport and travel assistance.
27. The net transport budget for 2022/23 is £5,819,270. In 2021/22 the net budget was £5,408,890 and net expenditure was £5,739,284, an overspend of £330,394.
28. Previously when a new DPS contract has been implemented this has led to increased competition from firms, as they will be bidding for work against each other, which in turn drove prices down. The last time a new DPS contract was implemented, the same routes were £185k less in price. However in the current climate of increasing demand for travel assistance and high fuel costs, there is a risk that this would not be the case as the significant increase in the number of transport runs needed means there is more routes to bid for meaning less competition, and firms will charge higher prices due to the increased cost of fuel.

HUMAN RESOURCES IMPLICATIONS [Officer Initials: JC Date: 05/05/2022]

29. There are no direct HR imps associated with this report.

TECHNOLOGY IMPLICATIONS

[Officer Initials: PW Date: 27/04/22]

30. There are no technology implications in relation to this report.

HEALTH IMPLICATIONS

[Officer Initials: CW Date: 29/04/22]

31. Learning outcomes and health outcomes are intrinsically linked. Evidence shows that education, training and employment are key socio-economic factors in determining health status (Marmot, 2010). Pupils requiring specialist education provision have vulnerabilities that can often place them at a disadvantage with both educational and health outcomes. Programmes that aim to improve accessibility and attendance to education, and reduce the gap in educational attainment are likely to impact positively on reducing long-term health inequalities in Doncaster.
32. The programme described in the report aims to support attendance and reducing the gap in educational attainment for some of Doncaster's most

vulnerable children, the programme is likely to impact positively in reducing long-term health inequalities in Doncaster.

EQUALITY IMPLICATIONS

[Officer Initials: KH Date: 12/04/2022]

33. The Council's duty under section 149 of the Equality Act 2010 when exercising its functions is to advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not share that protected characteristic, ensure fair access to learning for all Doncaster children and young people.
34. Due regard will be given to relevant and proportionate consideration of the duty, in that whenever significant decisions are being made, consideration must (and will) be given to the impact/affect that implementing a particular policy or decision will have in relation to equality before making that decision.
35. A new contract will enable us to continue to meet our duty to transport children to school in the most suitable and effective way to meet their individual needs
36. There are no concerns around equality implications at the time of writing this report

CONSULTATION

37. Whilst no formal consultation has taken place with regards to the implementation of a new contract a Stakeholder Engagement session is planned to seek the views of contractors on the proposed contract.

BACKGROUND PAPERS

38. None

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

39. None

REPORT AUTHOR & CONTRIBUTORS

Kim Holdridge, Service Manager, Travel Assistance Service
01302 737219 Kim.holdridge@doncaster.gov.uk

Riana Nelson
Director of Learning, Opportunities and Skills

This page is intentionally left blank



Doncaster Council

Report

Date: 10th August 2022

To Members of the Cabinet

DONCASTER COUNCIL – BIODIVERSITY NET GAIN - BIODIVERSITY OFFSETTING CONTRIBUTIONS

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Nigel Ball & Cllr Mark Houlbrook	All	Yes

EXECUTIVE SUMMARY

1. Following feedback from recent public consultation on a Supplementary Planning Document (SPD) on Biodiversity Net Gain it is proposed that the Council sets a Biodiversity Offsetting Contribution fee at £25,000 per Biodiversity Unit. This fee would be in place until approximately winter 2023 at which point it is to be replaced by a Statutory Biodiversity Credit introduced by central government.

EXEMPT REPORT

2. This report is not exempt.

RECOMMENDATIONS

3. Members of the Cabinet are recommended to:
 - i) Support the proposal to introduce a £25,000 Biodiversity Net Gain Contribution Fee as part of a Biodiversity Net Gain SPD and to include this on the Council's list of fees and charges.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Having a Biodiversity Offsetting contribution fee will provide developers a final option that they can use to allow them to deliver biodiversity net gain as part of their development. The money collected from biodiversity offsetting fees will allow new habitat creation projects to take place across Doncaster. Habitat creation can have a range of benefits including improving air quality, better mental health and improved public access to green networks. It will also contribute significantly to borough wide nature conservation strategies.

www.doncaster.gov.uk

BACKGROUND

Biodiversity and Net Gain and the Environment Act

5. The fundamental principle of Biodiversity Net Gain is that development leaves the natural environment in a measurably better state than it was before a development occurred. This is achieved through measuring in *biodiversity units* what is being lost and then demonstrating how projects will deliver improvements through habitat creation or enhancement after firstly avoiding, and then mitigating harm.
6. Using guidance published by Defra¹, Biodiversity value is quantified in '*Biodiversity Units*'.



A Biodiversity Unit is a term of measurement that incorporates three things:

- The area covered by a habitat.
- How '*distinctive*' or special that habitat is considered. (Measured as Low, Medium, High or Very High distinctiveness)
- How good an example the habitat or its '*condition*'. (Measured as Poor, Moderate or Good condition)

A Biodiversity Unit also takes into account:

- Whether the habitat is considered very important in that location.

So, by way of some illustrative examples, the following shows how different in biodiversity unit value one hectare of land can be depending on the condition and distinctiveness of the habitat present.

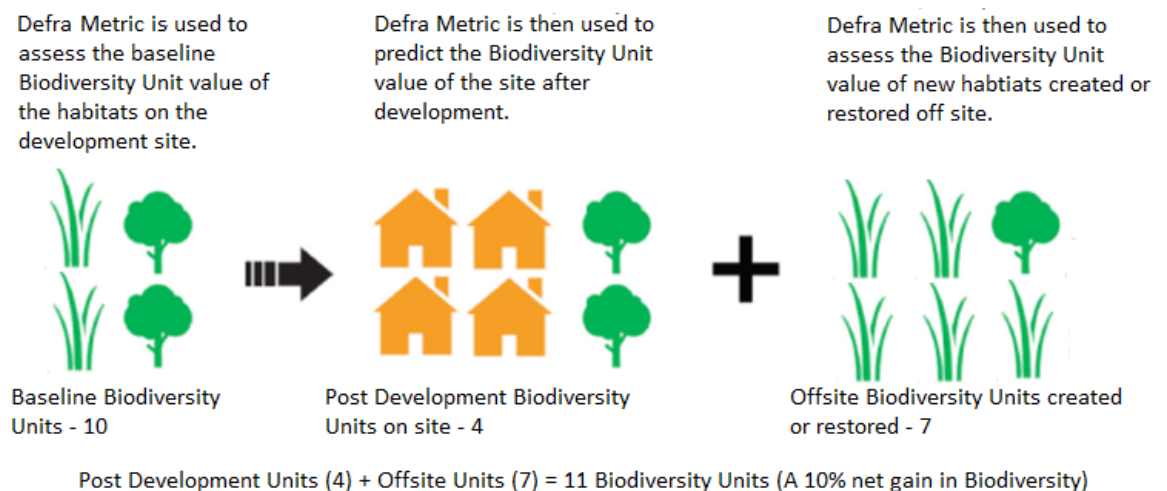
<p>A playing field</p> 	<p>A playing field is not very special. It is a low distinctiveness habitat that is widespread common. It is a poor condition grassland because it is mown frequently and has few species and little structural diversity.</p>	<p>1 hectare of this habitat would be worth 2 biodiversity units.</p>
<p>A species rich limestone grassland</p> 	<p>This is a very special high distinctiveness habitat. It is rare and not widespread. Depending on management, it could vary in condition, but a grazed meadow with lots of species, few weeds and little damage would be considered to be in good condition.</p>	<p>1 hectare of this habitat would be worth 20.7 biodiversity units.</p>

¹ <http://publications.naturalengland.org.uk/publication/6049804846366720>

7. Biodiversity Units can be lost as a result of development building on habitats. Those losses can be compensated by undertaking projects that either:

- Take areas of land with low distinctiveness habitat and turn it into more valuable higher distinctiveness habitat, or;
- Take areas of existing habitat that are in poor condition and manage them well so that their condition improves.

The value of these new habitats is also measured in Biodiversity Units so that % gains can be measured. The process is illustrated in the drawing below:



8. If as in the example above, seven units of biodiversity loss was compensated through the Biodiversity Offsetting Compensation fee, this would equate to a payment to the Council of £175,000. This money would be used to deliver a project that provided seven biodiversity units. This equates to approximately 1.4 hectares of new grassland or 2.3 hectares of new woodland being created and managed for 30 years.

The Environment Act

9. The Environment Act amends the Town and Country Planning Act and means that by winter 2023 the requirement for planning applications to demonstrate biodiversity net gain will become law. It will mean development will be legally required to demonstrate a minimum net gain of 10% and secure those gains for a minimum of 30 years.

Existing Planning Policy

10. National Planning Policy Framework (NPPF) paragraph 174 part d already requires planning decisions to provide net gains in biodiversity.

11. The newly adopted Local Plan, Policy 30, goes further than the NPPF and requires planning proposals to deliver a minimum 10% net gain in biodiversity.

The Role of a Supplementary Planning Document (SPD)

12. The Council has recently finished public consultation on a draft SPD that gives guidance to developers on the Council's expectations with respect to biodiversity net gain in order to help shape more sustainable development.
13. Following feedback from Elected Members on the need for a local first approach to delivery of Biodiversity Net Gain, the SPD sets out a sequential approach to how the Council will expect Biodiversity Units to be delivered, with developers being asked to show how each of the following measures has been taken in turn. This was designed to ensure that local options for delivering Biodiversity Units are prioritised.
 1. Firstly, avoid negative impacts on site and retain habitats through good design.
 2. Secondly, lessen harmful impacts through mitigation measures wherever possible.
 3. Thirdly, deliver as much new habitat/compensation as possible within the red line boundary of the planning application itself.
 4. Fourthly, demonstrate a local first approach to BNG delivery by seeking to secure offsite biodiversity as close to the proposed development as possible. (This may be through bespoke developer led, council led or privately led BNG schemes).
 5. Finally, once all of the above have been exhausted:

Up to Winter 2023:

Pay the Council a Biodiversity Net Gain Contribution fee of £25,000 per Biodiversity Unit. This would be used by the Council to secure units for delivery within Doncaster.

Post Winter 2023:

The Council will no longer be allowed to collect Biodiversity Offsetting Contribution fees. Instead as a final option developers would be expected to buy Statutory Credits from the Secretary of State. These would be used to deliver habitat creation schemes outside of Doncaster, potentially anywhere in the country.

Previous Reports

14. A report was taken to Exec Board in March 2022 explaining the rationale for producing an SPD including a Biodiversity Offsetting Contribution. That report set out that following the public consultation, a future report would be taken to Cabinet on the topic of the Biodiversity Offsetting Contribution Fee.
15. The decision to adopt an SPD is taken via an ODR in consultation with the relevant portfolio holders, however the decision to set a Biodiversity Offsetting Compensation Fee is considered a key decision, so needs to be made by Cabinet. The rest of this report sets out information in relation to making a decision on the setting of a Biodiversity Offsetting Contribution Fee.

What are the benefits of allowing Biodiversity Offsetting Contributions?

16. It is from now until the winter 2023 when the Environment Act will make Biodiversity Net Gain a legal requirement for development that having a fixed Biodiversity Offsetting Contribution fee would be most useful. The reasons for this are set out below.
17. At present it is very difficult for planning applications to demonstrate how they are going to deliver net gain. Particularly for smaller developments, where only a handful of units are required, it is not cost effective for brokers to offer schemes. While some larger developers may have the resources to design their own off site biodiversity offsetting schemes, this is not the case for smaller developers. This leaves some developers with very limited ways in which they can show how they achieve biodiversity net gain and this can lead to delays in planning decisions, or permissions being granted that are open to challenge on the grounds that biodiversity concerns have not been properly addressed.
18. Habitat banks are able to provide small numbers of units for sale to developers, but these schemes take time to develop, and are needed to cover a range of habitats. The Torne Valley habitat bank will offer for sale grassland units but will not provide for other habitats such as woodland and scrub. Further habitat bank schemes are currently being developed by Council officers, but it can take between 12-24 months for such projects to reach the point where they are ready for units to be sold, and in the interim units are still needed by developers. How additional habitat banks will be identified, including their location to ensure as many communities as possible can benefit from having them in their areas, will be subject to further and separate decisions in due course.
19. Officers understand the political appetite to see the benefits from biodiversity net gain delivered in and around communities, especially ones where deprivation issues prevail and challenges exist around connecting people to nature. Communities that may not be seeing biodiversity net gain coming forward on development sites within their area, due to limited growth opportunities, could still see the benefits of habitat creation schemes within their locality as contributions from the £25k/unit offsetting fee can be spent on such projects. Officers will need to monitor and report on contributions and this data will assist in such decisions, alongside other considerations such as availability of Council land and/or ability to acquire land for such purposes. The emerging South Yorkshire Local Nature Recovery Network will also provide an opportunity to identify our local priorities for future investment and connecting existing and future nature conservation assets to communities.
20. The statutory credits system is proposed by government in order to prevent development stalling in situations where no biodiversity units are available for sale. However, this system is not available until winter 2023. The temporary introduction of Biodiversity Offsetting Contribution fees will ensure planning applications can be determined expediently. It will provide developers with certainty of what is expected, prior to land transactions being negotiated, and give a level playing field to developers across Doncaster during the next eighteen months. It will also mean planning decisions can demonstrate how they are meeting both national and local planning policy requirements.

21. The cost of Biodiversity Offsetting Contribution fees, set by the Local Planning Authority, needs to be higher than the cost at which Third Party Brokers or Habitat Banks would be able to offer schemes. Having an appropriate Biodiversity Offsetting Contributions fee is important to provide confidence to brokers and conservation partners looking to invest in developing biodiversity offsetting projects designed to deliver biodiversity units. It will act to stimulate the market for delivering offsetting schemes. This is vital so that once the transition period ends, and statutory credits are introduced, there is a robust market of local providers delivering biodiversity units for sale. If this does not happen then, following the transition period, money will be directed via the statutory credit system to habitat creation projects in other parts of the country.
22. The Council declared a Climate and Biodiversity Emergency in 2019. The introduction of Biodiversity Offsetting Contribution fees will help to demonstrate the Council's commitment to this declaration and ensure that development in Doncaster is working to help address the biodiversity crisis we are facing. Current planning policy already gives us the ability to ask development to show how it will deliver Biodiversity Net Gain. The Climate and Biodiversity Emergency is happening now and waiting until winter 2023 would miss a major opportunity to make significant positive changes happen far sooner.

What are the Headlines/Key Areas?

HOW HAS THE VALUE OF THE PROPOSED BIODIVERSITY OFFESTTING CONTRIBUTION BEEN DETERMINED?

23. A Biodiversity Offsetting Contribution fee paid by a developer needs to be precautionary and based on a total cost recovery model. This is so that the local authority can be confident that it will be able to find schemes that can deliver the required biodiversity units and cover the cost of 30 years of management.
24. Further information on the proposed Biodiversity Offsetting Contribution fee is included in the Background Paper. In summary, the Biodiversity Offsetting Contribution fee is calculated from estimates of:
- **Land acquisition costs** - To secure land on which to undertake the necessary habitat creation works. This is based on average land cost prices to buy farmland in England. Habitat creation projects will generally take place on agricultural land (not land with development potential where such costs will vary much more in different market and land value areas) so costs will be similar across the borough and as such we have assumed an average agricultural land value.
 - **Habitat Creation** - The average estimated cost of undertaking works associated with habitat creation for grassland, woodland and scrub habitats. This includes things such as installing fencing, buying seed or tree whips, preparing the ground, planting/sowing, watering and establishment management grass cuts.
 - **Ongoing management and maintenance** – These costs are estimated over a 30 year period. (This is calculated assuming an inflation rate of 2.3%). This includes things such reseeded to increase grassland

diversity, grazing or taking annual hay cuts, weed control, rotational clearance of scrub, woodland thinning, creation of glades and creating coppiced woodland edges.

- **Project development/feasibility** – This is based on staff time to find suitable sites, develop projects, design schemes, undertake due diligence, secure landowner agreement/acquire sites, contract management, commission feasibility studies etc.
- **Monitoring and Project Management** - As part of a Biodiversity Net Gain agreement monitoring of habitat creation is required for 30 years. This would involve site visits potentially in years 1,2,3,5,10,15,20,25 and 30, mapping habitats using UK Habs classification and condition assessments against the Defra Metric. Report writing and review of management practices. The costs here include staff time to commission and manage contracts necessary for the delivery and monitoring of the project.
- **Project Insurance/Contingency** - Due to the potential for unforeseen circumstances when creating habitats it is necessary to include a contingency fund in order to be able to rectify problems that may occur. This has been calculated as 10% of habitat creation, management and land purchase costs.

25. Based on the information in the Background Paper, as summarised above, it is proposed to set Biodiversity Offsetting Contribution fees at £25,000 per biodiversity unit. Each £25,000 contribution would cover the Council's costs to create and manage one unit of biodiversity.

WHAT WAS THE FEEDBACK FROM PUBLIC CONSULTATION TO THE PROPOSED BIODIVERSITY OFFSETTING CONTRIBUTION?

26. In total 19 consultation responses were received on the Draft SPD. Of these, 14 made no reference to the proposed Biodiversity Offsetting Fee, two said the £25,000 was too high and three said it was too low.

Responses stating £25,000 Biodiversity Offsetting Contribution is too low

27. Of the three responses that thought the tariff was too low, two of these said that this was because they felt that Biodiversity Offsetting Contributions should not be set on an at cost basis, but should instead penalise developers who prefer to pay a sum of money and walk away from BNG obligations. They felt that an offsetting contribution set at a minimum of £50,000 fee would be more appropriate.

28. The purpose of the Council setting a Biodiversity Offsetting Contribution is not to penalise developers. The £25,000 fee is designed on the basis of precautionary, but real estimates of the cost to deliver a BNG scheme. Schemes on known sites, where the costs can be more accurately determined based on actual site conditions are likely to cost less, and hence it is expected that units for sale on the market will cost less than the proposed fee. This will already act as an incentive for developers to find real projects to deliver rather than just pay the Council Biodiversity Offsetting Contributions. In order to be lawful any financial asks of development that are made by the Council must be necessary to make the development acceptable in planning terms, fair and reasonable in scale and

kind and directly related to the development. It is therefore not considered appropriate to set the contribution fee at a higher rate.

29. The third response from the Environment Agency stated that projects which sought to deliver River Units (i.e. where watercourses are impacted by development) could in many instances cost far more than the proposed £25,000 fee to deliver. They felt that to offer a fee of £25,000 for River Units would disincentivise developers from delivering Biodiversity Net Gain for river units on site as it would be cheaper to buy units from the Council instead.
30. In light of this comment, it is proposed that the guidance in the SPD will be clarified to state that Biodiversity Offsetting Contribution payments will not be accepted in cases where River Units are required. Instead, developers will be expected to find projects to deliver such units themselves and the guidance will encourage them to use the advice services from the Environment Agency to help them do this.

Responses stating £25,000 Biodiversity Offsetting Contribution is too high

31. A response from the National Farmers Union suggested that the proposed £25,000 Biodiversity Offsetting Contribution fee was excessive, as they were concerned there is not a part credit option for smaller developments.
32. The intention is for the purchase of part credits to be permitted. So for instance if 0.5 units were required a fee of £12,500 would be payable. In response it is proposed to make this clearer in the SPD.
33. The second response from Banks Group that suggested the proposed Offsetting Contribution was too high, cited that Durham County Council are proposing a unit value of £15,000 based on a study by Defra that tariff units might cost £9-15,000².
34. A more recent Biodiversity Net Gain Market Analysis Study³ as well as consultation responses to this original work by Defra have stated that this figure is considered to be too low. Various additional factors need to be taken into account such as experience in existing markets, transaction costs and the need to provide suppliers with some profit and the opportunity costs of land, as reflected in farmland land sale prices. This newer work suggests a market price of £20,000 per Biodiversity Unit would be more realistic and also suggests that in areas where there is a scarcity of units available this could be £25,000.
35. In setting the proposed biodiversity offsetting contribution fee at £25,000 the estimates of the costs of purchasing land, habitat creation and management for a minimum of 30 years, project development and management, monitoring work and a contingency to allow for unforeseen issues to be rectified if required, have all been included. While it is considered that £25,000 is a fair representation of the potential costs, it is accepted that real projects may well be able to achieve lower unit price. However, as highlighted in the concerns raised by the Environment Agency, it is vital that

² https://consult.defra.gov.uk/land-use/net-gain/supporting_documents/netgainconsultationdocument.pdf

³ <http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=20608>

a Biodiversity Offsetting Contribution fee is not set so low that it is attractive to developers over and above units that may become available on the open market. To do so would act as a significant disincentive to landowners to bring forward BNG schemes and would not help to stimulate the needed growth in this sector within the Borough.

WHAT IS HAPPENING ELSEWHERE AND HOW HAVE DEVELOPERS RESPONDED TO REQUESTS FOR CONTRIBUTIONS?

36. Locally, Leeds is the only other Local Authority that has set a Biodiversity Offsetting Contribution. This is £25,000 per Biodiversity Unit. The Borough of Sutton in London has set a fee of £93,570.48 per biodiversity unit. Cornwall uses a per unit fee of £28,679. As is evident here there is disparity across areas in the proposed cost set by Local Authorities.
37. While no fixed contribution is likely to be welcomed by developers, setting a Biodiversity Offsetting Contribution fee will add certainty to the Biodiversity Net Gain requirement at Doncaster Council. One thing we know the development industry does welcome is upfront certainty around the likely planning contribution asks from the local planning authority so that these can be factored into land transaction costs at the outset.
38. Interestingly, while the development sector was included as part of the SPD consultation, only two organisations representing the industry responded. Homes England raised no comments about the proposed biodiversity Offsetting Contribution fee.

VIABILITY OF DEVELOPMENT AND SPENDING OF BIODIVERSITY NET GAIN OFFSETTING FEES

39. Providing an element of Biodiversity Offsetting was factored into the whole plan viability testing when the Local Plan was prepared, however there may still be a viability issue for some planning applications. If this is the case then a developer would be expected to provide a viability assessment. As happens currently, the Section 106 Board would decide how funds should be distributed between any requested financial contributions. There is a strong case that requiring offsetting contribution fees from now, will help prepare the market for the point when Biodiversity Net Gain is a statutory requirement in addition to a requirement of planning policy. Once the Environment Act comes into force, then biodiversity net gain will be a legal requirement and such decisions would not be taken by the Section 106 Board. At this point Statutory Credits will replace any local Biodiversity Offsetting Contribution fees in cases where local projects selling biodiversity units are not available.
40. The following guidance was included within the draft SPD in relation to how Biodiversity Offsetting Contribution fees will be spent.

All money collected from Biodiversity Offsetting Contribution Fees will be used to secure Biodiversity Net Gain schemes within Doncaster. These will either be delivered on land owned by the Council or via an agreement with a third party to provide the required offset. In line with Local Plan Policy 30 the schemes secured will seek to deliver a minimum of a 10% net gain in biodiversity. In some circumstances this may mean that a larger than 10% net gain might be secured. In spending biodiversity offsetting contributions

the Council will look for local opportunities first, while also seeking to achieve strategic biodiversity goals such as those in the emerging Local Nature Recovery Strategy and aiming to minimise the time between a contribution being received and the offset being secured.

It is important to note that, as set out in the SPD, taking Biodiversity Offsetting Contributions is the option of last resort. The local first approach to BNG delivery will firstly seek to see any unavoidable losses compensated on site and then as close to the development as possible. Determining the Governance arrangements for spending Biodiversity Offsetting Contribution Fees will be subject to further internal decisions in due course. This will mean that the involvement of Elected Members in such decisions can be formalised.

What are the next steps?

41. Subject to approval of this report by Cabinet, a further report will be taken to Cabinet for a decision on including the proposed Biodiversity Contribution Fee in the Council's list of fees and charges (i.e. the quarterly Finance Report). At the same time an ODR will be prepared seeking to adopt the new SPD in consultation with the two relevant Portfolio Holders for Planning and Sustainability.
42. Finally a report would be produced for information for Planning Committee to make them aware of the new SPD as a material planning consideration when determining applications.

OPTIONS CONSIDERED

43. The following options are proposed for consideration by members of the Cabinet.
 - **OPTION 1 (RECOMMENDED)** – Support the proposal to introduce a £25,000 Biodiversity Net Gain Contribution Fee as part of a Biodiversity Net Gain SPD and to include this on the Council's list of fees and charges.
 - **OPTION 2 (NOT RECOMMENDED)** – Do not support the proposal to introduce a £25,000 Biodiversity Net Gain Contribution Fee.




REASONS FOR RECOMMENDED OPTION






44. The introduction of a £25,000 Biodiversity Offsetting Contribution fee is recommended for the reasons set out in the report and summarised below.
 - It will drive the local delivery of BNG by requiring developers to show how they have prioritised local BNG opportunities.
 - It will provide a fall back option to secure BNG on planning applications.
 - It gives an additional way to demonstrate National and Local Planning Policy are being followed.
 - It reduces the risk of legal challenge by demonstrating Biodiversity is being properly considered.

- It will prevent planning decisions from being delayed allowing them to be determined more expediently.
- It provides a level playing field for developers.
- It gives certainty to developers regarding the Council's expectations.
- It will help to stimulate the market for third parties to bring forward possible Biodiversity Offsetting Schemes.
- It reduces the risk of offsetting projects not being available following the transition period and hence Doncaster's offsetting contributions being directed to schemes elsewhere in the Country.
- It will demonstrate the Council's commitment to its declaration of a Climate and Biodiversity Crisis and provide a mechanism to help secure more sustainable development in Doncaster.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

45. The introduction of a Biodiversity Offsetting Contribution fee is considered to impact on Doncaster Council's key outcomes as follows:

Great 8 Priority	Positive Overall	Mix of Positive & Negative	Trade-offs to consider – negative overall	Neutral or No implications
 Tackling Climate Change	✓			
<p>As well as helping to deliver biodiversity and better ecological networks, new habitats can also provide investment in other ecosystem services such as flood alleviation, carbon storage and improved air quality. These additional ecosystem services will help Doncaster to limit the negative impacts of and adapt to climate change.</p>				
 Developing the skills to thrive in life and in work				✓
N/A				
 Making Doncaster the best place to do business and create good jobs	✓			
<p>Inward investment in habitat creation in strategic locations within Doncaster as well as ongoing management of these new habitats will provide work within the borough. The introduction of a Biodiversity Offsetting Contribution fee will also help stimulate development by expediting planning decisions, providing clarity to developers on the Council's expectations in terms of Biodiversity Net Gain, help prepare the development industry for the forthcoming changes to the industry brought about by the Environment Act.</p>				

 Building opportunities for healthier, happier and longer lives for all	✓			
<p>The loss of species and habitats poses as much a danger to life on Earth as climate change does. As well as underpinning the food we eat and the air we breathe, we depend on it for protection from other threats, like pollution, flooding and climate breakdown. The biggest driver of biodiversity loss is ‘land-use change’: specifically, converting and managing wild land for agriculture and development. The introduction of a Biodiversity Net Gain Contribution Fee will help to alleviate the impacts biodiversity loss from land use change and hence help the public health of Doncaster’s communities.</p>				
 Creating safer, stronger, greener and cleaner communities where everyone belongs	✓			
<p>The introduction of a biodiversity offsetting contribution will provide a more transparent mechanism to show how biodiversity is being taken into account in planning applications near people’s homes. It will provide funding for habitat creation projects that could help to bring wildlife closer to communities while at the same time delivering other ecosystem services that will make communities safer by delivering ecosystem services such as flood alleviation, clean air and carbon storage all of which will be increasing important in mitigating the negative impacts of climate change.</p>				
 Nurturing a child and family-friendly borough	✓			
<p>Access to nature and green spaces have proven benefits for people’s mental health and personal well being. The implementation of a biodiversity offsetting contribution fee will help to kick start a net gain system within Doncaster and see the creation of new wildlife rich habitats that can help to connect children and families to nature.</p>				
 Building Transport and digital connections fit for the future				✓
<p>N/A</p>				
 Promoting the borough and its cultural, sporting, and heritage opportunities				✓
<p>N/A</p>				

Fair & Inclusive				✓
<p>In line with the corporate approach for compliance against the Equality Act 2011 due regard must be shown across all activity within the Council. As the introduction of a biodiversity offsetting contribution fee is a high level strategic decision there are no detailed impacts on any people, groups or individuals on which to base a due regard statement. However as biodiversity net gain becomes further developed, a due regard statement may need to be completed and reported as and when appropriate.</p>				

LEGAL IMPLICATIONS [Officer Initials SC/ND Date 24/06/22]

46. The Environment Act 2021 achieved royal assent in November 2021. It introduces a requirement for developers to demonstrate that they will achieve a minimum biodiversity net gain (BNG) increase of 10% from the pre-development biodiversity value, on all new development sites. A two year transition period for this requirement is included in the Act, with provision for secondary legislation to set a date for the requirement to come into force. This is not expected to be until late 2023. The legislation requires that net gain will either be provided on-site, or off-site via the purchase of statutory biodiversity credits. The price of statutory biodiversity credits (when implemented) will be set by the secretary of state.
47. Whilst the introduction of the statutory credits system is under 2 years away, it is proposed that a Supplementary Planning Document (SPD) is prepared which sets out the Council's expectations in relation to BNG in the intervening period. The SPD will importantly provide guidance for the implementation of a per unit biodiversity offsetting contribution, where on-site mitigation is not proposed. The SPD will strengthen the current policy framework with regard to BNG which comprises of:
- Policy 30 of the Doncaster Local Plan (adopted 2021) which requires certain proposals to demonstrate that they will deliver a minimum 10% net gain for biodiversity; and
 - Paragraph 174(d) of the National Planning Policy Framework (2021) which requires planning policies and decisions to provide net gains for biodiversity.
48. Consultation on the proposed SPD should be carried out as required by Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
49. Should the proposed SPD be adopted, the Council will be able to attribute weight to it as a material consideration in the determination of planning applications, which will strengthen its ability to justify the contribution in an appeal scenario.
50. Section 1 of the Localism Act 2011 allows the Council to do anything which an individual may be permitted to do.

51. The income received from Biodiversity Offsetting Contribution fee should not create a profit for the Council. Where there is a likelihood of profit being achieved, further legal advice will be required in relation to charging and or trading powers available to the Council which may also include the need to set up a separate company.

FINANCIAL IMPLICATIONS [Officer Initials OB Date 09/06/2022]

52. As described in the body of the report, it is proposed to introduce a Biodiversity Offsetting Contribution Fee for the interim period, before the government begins to issue Statutory Biodiversity Credits in the winter of 2023. The fee is intended to be purely to cover costs of providing Biodiversity Net Gain for the developer and not intended to generate any kind of profit for the council.

53. The proposed fee has now been through consultation via the Supplementary Planning Document process, the outcome of which is provided in this report. As per financial procedure rules the final revised fee will need to be added to the Councils approved and published Fees and Charges. Financial procedure rule B.16 states that any new fees and charges proposed within the financial year will be approved by the CFO in consultation with the relevant Portfolio Holder, subject to key decision rules and reported to Cabinet in the quarterly monitoring report. It is expected that the income generated from this biodiversity offsetting contribution will be over the Key Decision threshold of £250k and therefore the fee requires a Key Decision report in order to be added to the Council's approved Fees and Charges.

54. The Biodiversity Offsetting Contribution Fee is a cost recovery fee based around three examples of different habitat improvements modelled by the service and includes the costs of acquiring a piece of land, developing the habitat and the project development, management and monitoring of the site for 30 years. A 10% contingency and 2.3% annual inflation is built into the cost modelling. The total costs are then divided by the number of units produced, to give an average cost per unit. More detail is provided within the report.

55. It should be noted that, in reality, the actual projects and their costs can vary considerably from these modelled examples. However, it is anticipated by the biodiversity officers that a fee set at this level would be sufficient to fund local projects and the benchmarking described in this report supports this. However, there remains a small risk that the costs of delivering the units would be higher than the fee received. The council would then be committed to delivering units for 30 years at a higher price and funding the resulting gap. The costs of acquiring land in particular could vary significantly from the price used in the calculations. Inflation may also be greater than 2.3% per annum over the 30 years which would create a funding shortfall as this would compound over the 30 year period. However, this new fee is only intended to be an interim measure for a short period, and is only intended to be used when local projects are not available and as such this risk is considered to be very low. There would also be an opportunity to revise the fee for later projects within the annual budget setting process if there were

concerns about any shortfalls arising.

56. The same fee is proposed for all habitat types (except River Units which has now been excluded – see body of report) despite the modelling showing that scrubland could be considerably less expensive per unit. This is because the service do not want developers to make decisions around which habitats to develop on based upon the cost of these units. Any surplus income generated as a result would need to be ring-fenced to covering the costs of the scheme and funding its objectives as the fee is intended to be purely to cover costs of providing Biodiversity Net Gain for the developer and not intended to generate any kind of profit for the council.
57. There could be a negative financial impact arising from dedicating a high fee for biodiversity units, as consequently less funding may then be available for investment into other local Section 106 priorities. Also, developers could choose to build fewer homes in the area or increase local house prices as a result.
58. It is assumed that there are no further costs to delivering biodiversity units beyond those listed in the appendices and that there are no future cost pressures that will be passed on to other internal council teams as a result of the delivery. This should be challenged prior to approving the fee and, if appropriate, other services should be consulted.
59. If clawback clauses are included in the agreements with the developer, care should be taken to monitor the delivery of the units to ensure that there are no timing or other issues which could result in the withdrawal of funds, impacting upon council budgets.

HUMAN RESOURCES IMPLICATIONS [Officer Initials KJ Date 16/06/22]

60. There are no direct HR implications in relation to this report.

TECHNOLOGY IMPLICATIONS [Officer Initials ET Date 16/05/22]

61. There are no technology implications in relation to this report.

RISKS AND ASSUMPTIONS

62. Not agreeing to the use of biodiversity offsetting contribution fees will mean that more planning decisions are likely to seek approval without being able to demonstrate how they satisfy all the requirements in the National Planning Policy Framework or Doncaster Local Plan. This could leave planning decisions open to challenge.
63. We have sought Counsel's advice on setting a Biodiversity Offsetting Contribution fee and have been advised that this would be most securely done through inclusion within a SPD.
64. There is a risk that having taken biodiversity offsetting contributions, the Council will be unable to find suitable off site compensation schemes. This is considered a very low risk. It is proposed to only take payments in compensation for common habitats, as this will minimise the risk of suitable projects not being able to be found.

CONSULTATION

65. A report on a potential Biodiversity Offsetting Contribution fee has been taken to Executive Leadership Team and Exec Board in both March 2022 and July 2022, and meetings held with Councillors Ball and Houlbrook about Biodiversity Net Gain in the run up to both. Portfolio holder feedback has been particularly important in highlighting the desire to see a 'local first' approach to delivery of Biodiversity Net Gain. This feedback has been taken on board and resulted in the SPD setting out a local first approach to BNG delivery. The SPD has also been out for public consultation. Feedback was received from a range of stakeholders including developers, statutory bodies, NGO's and members of the public. The feedback on the Biodiversity Offsetting Contributions Fee resulting from this consultation is summarised in paragraphs 26-35. Chair's of the Communities & Environment and Regeneration & Housing Overview & Scrutiny Panels have been briefed on the subject and requested an informal Scrutiny meeting with the 2 Panels to consider this item on 15 July 2022. The Panel have fed back their findings to the relevant Portfolio holders and are supportive of the 'local first' approach and welcome the Council's proactive approach to developing a net gain system for Doncaster.

BACKGROUND PAPERS

Background Paper 1 - How has a tariff been calculated?

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

BNG – Biodiversity Net Gain
NGO – Non Governmental Organisation
NPPF – National Planning Policy Framework
ODR – Officer Decision Record
SPD – Supplementary Planning Document.

REPORT AUTHOR & CONTRIBUTORS

Helen Markland (Principal Ecologist)
01302 734924 helen.markland@doncaster.gov.uk

Jonathan Clarke (Planning Policy and Environment Manager)
01302 735316 Jonathan.Clarke1@doncaster.gov.uk

Dan Swaine (Director of Regeneration and Environment)
01302 762503 Dan.Swaine@doncaster.gov.uk



Doncaster Council

Report

Date: 10th August 2022

To the Mayor and Members of Cabinet

To accept funding to make improvements to the Trans Pennine Trail

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Joe Blackham	Mexborough & Sprotbrough	Yes

EXECUTIVE SUMMARY

1. In March 2019 Sustrans were awarded £22,000,000 from the Department for Transport to improve the National Cycle Network, outside of London. In April 2019 Sustrans invited bids from Local Authorities for grant funding to improve sections of National Cycle Network. Doncaster Council submitted a bid for this funding to improve areas of the Trans Pennine Trail in the Borough. Locations were selected based on the poor condition of surfacing and those that have had little or no investment. Doncaster Council was successful in this bid and we are now seeking approval to accept the £430,000 grant funding and to enter into a funding agreement with Sustrans to allow us to implement these works.

EXEMPT REPORT

2. Not Exempt

RECOMMENDATIONS

3. Approve accepting the grant funding into Doncaster Council's capital programme and approve entering into a funding agreement with Sustrans to allow implementation of an improvement scheme for the section of the Trans Pennine Trail identified between Mill Lane, Harlington and Pastures Road, Mexborough.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. The project has the potential to improve connectivity for Doncaster residents to areas of employment and green, open spaces on bike and by foot. It will make walking and cycling a more attractive option by installing a sealed surface along www.doncaster.gov.uk

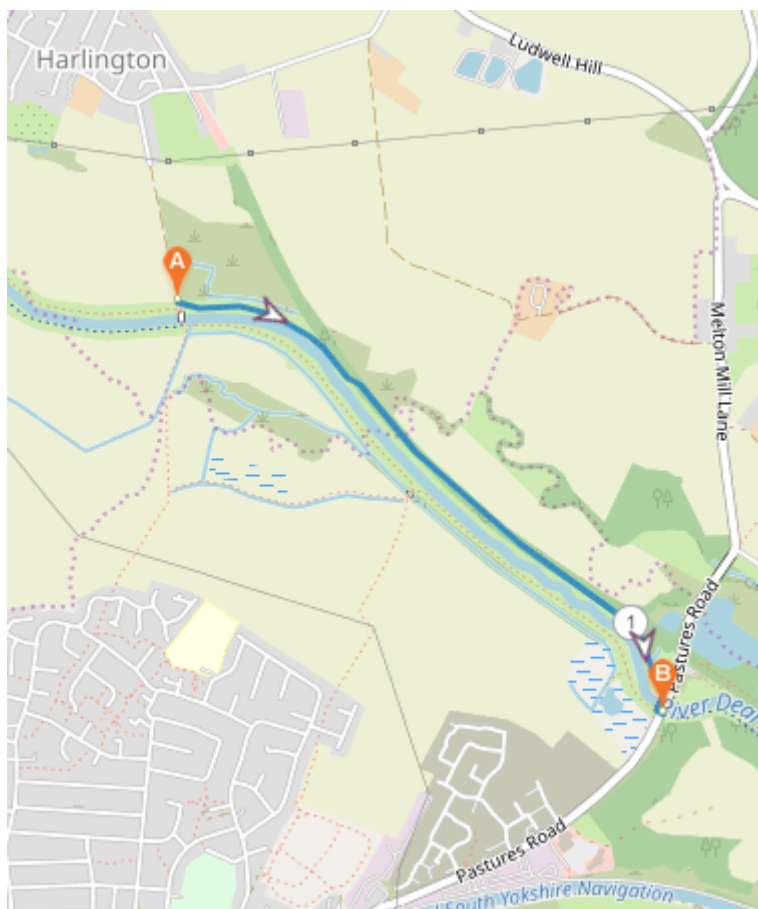
the routes specified.

5. The works would be delivered in areas with high levels of deprivation and therefore provide high quality, traffic free cycling and walking infrastructure to the communities that need it the most. The potential improvements in the active travel network could also lead to modal shift resulting in better air quality and a reduction in levels of congestion.
6. The delivery of the project contains elements which is linked to key themes in the success of 'Get Doncaster Moving'. Physical activity and sport are one of nine transformational programmes within Doncaster Growing Together and will accelerate the progress of Doncaster's 10 year Physical Activity and Sport strategy.
7. This is reflected within the Get Doncaster Moving programme with Cycling, Walking and Access to Parks and Opens Spaces being 3 of the 5 themes. Sharing a project board that will ensure that transformational change is achieved and the potential benefits realised.
8. Potential interventions funded by the project ensures that residents have access to high quality, safe traffic free routes. The interventions also ensure that we are complicit with the Equality Act by removing barriers to walking and cycling opportunities for people with specific needs.
9. The improvements would help realise ambitions set out in both Doncaster's cycling and walking strategies. These include;
 - Cycling is embedded in all future infrastructure schemes, ensuring a well-connected and safe cycle network that supports a variety of journeys, for work or for pleasure." (Doncaster Cycle Strategy, 2020)
 - Develop and enhance recreational walking opportunities in Borough In line with the Doncaster Rights of Way Improvement Plan, explore opportunities to develop and improve recreational walking routes and the Rights of Way network by improving existing routes and creating new routes where appropriate and where the opportunities arise. (Doncaster Walking Strategy, 2018)
 - Explore opportunities to increase access to the Trans Pennine Trail (TPT) Work with partners to investigate and pursue opportunities to develop new links to the TPT in Doncaster and increase accessibility. (Doncaster Walking Strategy, 2018)
 - Ensure appropriate signage and wayfinding along key walking routes Review signage provision along and to key walking routes in Borough such as the Trans Pennine Trail. (Doncaster Walking Strategy, 2018)

BACKGROUND

10. The Department for Transport grant was awarded to Sustrans to improve on and off-road stretches of National Cycle Network to improve conditions for walking and cycling around the country.
11. The route that is proposed to receive improvements in Doncaster is;
 - Trans Pennine Trail, Mill Lane to Pastures Road (1.2 km)
12. The route was selected for improvements in collaboration with DMBC

Transportation, Public Rights of Way and Sustrans, the custodians of the National cycle Network. A 2021 consultation on the Trans Pennine Trail revealed this as a key section to receive improvements should future funding arise.



13. The funding comes after Sustrans produced their “Paths for All” report in 2018 which indicated a cycling network of intermittent quality. There are 25 miles of National Cycle Network which runs through Doncaster, all of which is Route 62. Much of the Trans Pennine Trail in Doncaster was categorised as being Good (18 Miles), with the on road sections scoring Very Poor (7 Miles).
14. Although the area where improvements are proposed scored Good, due to its level of off-road segregation, the condition of the route needs investment to bring it up to Very Good in order to facilitate more active travel journeys. The route becomes muddy through winter and unusable for some users. The existing access control also needs to be replaced to allow access for legitimate users who currently cannot use the route. The proposals include setting the existing access control back to allow sufficient space for cycles and equestrian users to queue and not be in the live carriageway. The access control is currently unsafe for users on adapted cycles such as tandems and trikes as there isn’t sufficient space to negotiate the barrier without an extended amount of time in the road. It is proposed that an LTN 1/20 compliant access control is installed to allow legitimate access to users on adapted cycles and mobility aids. A chicane style access control has been identified as being most appropriate as this would deter larger off road illegal vehicles.

OPTIONS CONSIDERED

15. Two options have been considered:

Do something- Accept the grant funds and secure investment to improve sections of the Trans Pennine Trail in Doncaster

Do nothing- Failure to accept the grant funds will result in Doncaster not benefiting from potential investment.

REASONS FOR RECOMMENDED OPTION

16. Accepting the grant funds will allow Doncaster to improve sections of the Trans Pennine Trail, enabling communities and residents to consider cycling and walking for travel, potentially improving their health and wellbeing.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

17.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>The scheme has the potential to provide improved sustainable transport access to employment for Doncaster residents.</p> <p>The health benefits to businesses of employees travelling actively to work include reduced absenteeism and improved productivity.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<p>The trans pennine trail is a key active travel route, by improving this section we can expect to have more users</p>
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p>	<p>Active travel provides opportunities for residents to explore their local area, be active in the outdoors and stay healthy in mind as well as body, helping</p>

	<ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	to boost mood and self esteem.
	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	Physical activity including active travel maintains and improves muscle strength and the ability to balance which is crucial in reducing the risk of falling.
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	

RISKS AND ASSUMPTIONS

18. The main risk is that works need to be completed by 31/10/2022. To ensure this milestone is met, a detailed delivery program has been developed.

LEGAL IMPLICATIONS NJD 27th June 2022

19. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals may generally do.

20. Section 2B of the National Health Service Act 2006 (as amended by Section 12 of the Health and Social Care Act 2012) introduced a new duty on Councils in England to take appropriate steps to improve the health of the people who live in their area.

21. The grant will allow the Council to improve sections of the Trans Pennine Trail

in Doncaster which then has the potential to improve connectivity for Doncaster and allows residents more access to green, open spaces on bike and by foot all year round.

22. The Council will sign a funding agreement, when received, which is most likely to set out a number of obligation. Failure to comply with these obligation may lead to claw back of funding.
23. The Council must comply with the Public Contract Regulations 2015 when purchasing goods and service. Further legal advice and assistance may be required when the funding agreement is received.

FINANCIAL IMPLICATIONS Jeanette Inkson 15/06/2022

24. In March 2019 Sustrans were awarded £22,000,000 from the Department for Transport to improve the National Cycle Network, outside of London.
25. Doncaster Council bid into this funding and have been awarded grant to the value of £430,000 to deliver such schemes. The acceptance of the funding, and associated milestones and risks, will allow Doncaster to deliver the improvements to the Trans Pennine Trail between Mill Lane, Harlington and Pastures Road, Mexborough.
26. The scheme is 100% grant funded and will be monitored through the Capital Programme on a quarterly basis. Should any overspends occur resulting from these works in excess of the grant funding approved, or completion of the works are outside the parameters of the grant, then this would have to be met from other appropriate capital grant funding, most likely South Yorkshire Mayoral Combined Authority (SYMCA) – City Region Sustainable Transport Settlement (CRSTS-ITB) funding.
27. The main risk is that works need to be completed by 31/10/2022, to ensure this milestone is met, a detailed delivery program has been developed. Should any delays in delivery of the scheme be incurred then this will need to be reported as soon as possible to both Doncaster Council's Capital Programme and DfT/Sustrans.

HUMAN RESOURCES IMPLICATIONS (Kimberley Jackson 15/06/2022)

28. There are no direct HR Imps in relation to this ODR, but if in future staff are affected or additional specialist resources are required then further consultation will need to take place with HR.

TECHNOLOGY IMPLICATIONS

N/A

HEALTH IMPLICATIONS CT 16.06.22

29. Public Health supports the Do Something option.
30. Providing good walking and cycling infrastructure builds confidence in the community feeling that the route is safe to use. Walking and cycling not only

improve health and wellbeing, improvements to this route will provide access to green and blue spaces. They are also the cleanest ways to get around a city, and both can have enormous benefits for greenhouse gas emissions, air quality, road safety and equity.

EQUALITY IMPLICATIONS

31. *Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a "protected characteristic" and those who do not share that protected characteristic*
32. *An Equality, Diversity and Inclusion Due Regard Statement has been prepared and appended to support this report.*

CONSULTATION

33. Detailed internal consultation has been undertaken. Once Cabinet approval has been received, Sustrans will engage the local community.

BACKGROUND PAPERS

34. .N/A

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

REPORT AUTHOR & CONTRIBUTORS

Kerry Perruzza, Strategic Transportation Manager
01302 735435 kerry.perruzza@doncaster.gov.uk

David Atherton, Active Travel Auditor
01302 734008 david.atherton@doncaster.gov.uk

This page is intentionally left blank

EQUALITY, DIVERSITY AND INCLUSION

DONCASTER METROPOLITAN BOROUGH COUNCIL

Due Regard Statement

Trans Pennine Trail Improvements

How to show due regard to the equality duty in how we develop our work and in our decision making.

Due Regard Statement

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced needs to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

1	<p>Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.</p>	<p>Trans Pennine Trail Improvements</p> <p>Resurfacing of 2.5 miles of the Trans Pennine Trail will enhance Doncasters existing cycle network. In 2016 when 3 miles of Trans Pennine Trail was resurfaced it saw an increase in people using the Trans Pennine Trail of 700%</p> <p>Encouraging more cycling and walking can ease traffic congestion which enables the borough to grow, has positive health and wellbeing benefits that improves people’s quality of life and helps to reduce air and noise pollution.</p> <p>More walking and cycling will help to create a better environment for all residents, businesses and visitors. It is also better for businesses with healthier and happier staff, and a better retail and leisure environment.</p> <p>The works will meet aims set out in both the Cycling and Walking strategies as well as contribute to improving three of the five key themes in “Get Doncaster Moving”. These are Walking, Cycling and Parks and Open Spaces.</p>
2	<p>Service area responsible for completing this statement.</p>	<p>Transportation Unit, Economy and Environment</p>
3	<p>Summary of the information considered across the protected groups.</p>	<p>It is recognised that the following protected characteristics will be impacted by the above proposal.</p> <ul style="list-style-type: none"> • Age • Disability <p>The service will focus delivery to Doncaster residents.</p>

	<p>Service users/residents</p>
<p>4 Summary of the consultation/engagement activities</p>	<p>A priority exercise was completed which included officers from Transportation, Public Rights of Way and Sustrans to determine the areas that needed resurfacing works the most. A number of factors were taken into consideration including levels of deprivation, the score it was awarded in the recent Sustrans Path for All report and areas that flagged up the most in consultation with the general public. The two sites that were selected for works were Mill Lane, Harlington to Pastures Rd and Park Rd, Bentley to Toll Bar.</p> <p>Sustrans will be hosting community engagement events as part of the works to see what features can enhance the Trans Pennine Trail such as increased wildflower and biodiversity, seating, signage etc. Sustrans will also be responsible for engaging with equestrian users that regularly use the routes.</p> <p>Local residents will be notified of the works in advance of the project commencement.</p>
<p>5 Real Consideration:</p> <p>Summary of what the evidence shows and how has it been used</p>	<p>To increase cycling in Doncaster the cycle strategy refers to a number of key themes. One of the key themes outlined is high quality cycle infrastructure.</p> <div style="border: 1px solid green; padding: 5px;"> <p>Infrastructure</p> <p>Implementation of high-quality design standards / guidelines</p> <ul style="list-style-type: none"> - It was felt that this would support / enforce construction of cycle friendly infrastructure that is safe and of a high quality. </div>

	<ul style="list-style-type: none">- While also supporting funding bids and opportunities <p>Improving the connectivity of the existing cycle network, while maintaining and / or upgrading the quality where necessary</p> <ul style="list-style-type: none">- It was generally felt that the existing cycle network is of a good quality and provides a solid foundation from which to build on; however better connectivity of the network is required to support easily accessible, safe and enjoyable cycling journeys to and from the town centre and across the borough- Suggestions included;<ul style="list-style-type: none">o additional and better signageo removing physical barriers from off-highway trailso maintaining, upgrading and implementing infrastructure schemes to improve connectivity <p>Safety is paramount and should be considered as part of any infrastructure scheme</p> <ul style="list-style-type: none">- Respondents consistently identified real and perceived danger as key barriers to cycling.- This was of course related to safety while cycling but also included safe and secure cycle storage
--	--

	<p>The walking strategy outlines the following relevant ambitions for increasing walking.</p> <p>1. To improve the quality of where someone walks</p> <p>“Ensure new pedestrian infrastructure is high quality, legible and integrated into the wider network and considers inclusivity and pedestrian safety Ensure all new routes and footways are designed in line with planning policy and relevant supplementary planning documents (SPD) including Doncaster Council Development Guidance and Requirements SPD and South Yorkshire Residential Design Guide SPD.”</p> <p>2. People feel safer walking</p> <p>“Promote walking safety on recreational routes Publish information and advice for recreational walkers through Doncaster Council communication channels, including information on route suitability and advice on walking safety.”</p> <p>3. Walking is and enjoyable way to discover Doncaster</p> <p>“Develop and enhance recreational walking opportunities in Borough In line with the Doncaster Rights of Way Improvement Plan, explore opportunities to develop and improve recreational walking routes and the Rights of Way network by improving existing routes and creating new routes where appropriate and where the opportunities arise”.</p>
--	--

		<p>“Explore opportunities to increase access to the Trans Pennine Trail (TPT) Work with partners to investigate and pursue opportunities to develop new links to the TPT in Doncaster and increase accessibility. This includes opportunities to link Thorne to the TPT. “</p> <p>“Ensure appropriate signage and wayfinding along key walking routes Review signage provision along and to key walking routes in Borough such as the Trans Pennine Trail.”</p>
6	Decision Making	Doncaster Active Travel Alliance
7	Monitoring and Review	<p>Monitoring and Review will be completed through:</p> <ul style="list-style-type: none"> • Monitoring will be fed into Doncaster Active Travel Alliance which will report into the Get Doncaster Moving Walking and Cycling Project Board.
8	Sign off and approval for publication	

This page is intentionally left blank



Doncaster Council

Report

To the Chair and Members of the Cabinet

Date: 10 August 2022

Sport England Strategic Facilities Fund - Askern Leisure Centre / Campsall Park Project

Relevant Member(s)	Cabinet	Wards Affected	Key Decision
Cllr N Ball		Askern and Norton, Stainforth, Barnby Dun, Bentley	Yes

EXECUTIVE SUMMARY

1. This report provides an overview of a solicited bid to The Sport England Strategic Facilities fund for £910,000 to complement the existing projects being delivered at Askern Leisure Centre and Campsall Park.
2. The works at Askern are planned in 3 phases with Phase 1 focusing on significant environmental benefits, by decarbonising the facility away from coal fired boilers to green air source heat pumps removing up to 4500 tonnes of carbon over the next 15 years. Phase 2 Improving the physical activity offer to the community by refurbishment of the pool and changing rooms as well as install of fully accessible changing places and pool entry system alongside new exercise and community space. Phase 3 being the development of parks facilities and active green environment through improvements to the carpark and access points linking the new facilities with the wider park that will encourage greater use of Campsall Country Park by the public
3. The Sport England funding has been allocated to deliver phase 3 works and complement phase 2 works by: improvement of carparks, development of connecting road and footpaths between Campsall Park / carpark and Askern leisure centre, as well as further infrastructure to make the building, greenspaces and environment more accessible bringing together the park and Leisure centre as one, developing a destination that improves access and greater use of the park and the leisure centre

EXEMPT REPORT

4. No

RECOMMENDATIONS

5. To delegate to the Director of Economy and Environment, in consultation with the Chief Finance Officer and the Portfolio Holder for Public Health, Leisure, Culture and Planning the acceptance of £910,000 grant funding from Sports England Strategic Facilities and to agree the terms and conditions associated with the grant funding
6. To delegate to the Director of Economy and Environment, in consultation with the Chief Finance Officer and the Portfolio Holder for Public Health, Leisure, Culture and Planning the procurement and appointment of contractors to carry out works and services to connect Campsall Country Park and Askern Leisure Centre
7. To update Doncaster Council Capital Programme to include this scheme

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

8. The scheme will significantly decarbonise the building moving from coal as the main fuel to air source heat pumps to provide heating for the building and water across the building. The air source heat pumps alongside greatly improved building insulation. Management systems and LED lighting will eliminate the use of carbon intensive fuel and greatly reduce the electrical consumption across the buildings systems. Reducing carbon emissions by up to 4500 tonnes over the next 15 years.
9. Improving the link between the park and leisure centre will be delivered by install of new access road, establishing a single entrance. This will mean there is no differentiation between the facilities, ensuring they complement each other and are more accessible and appealing to Doncaster's Residents / visitor and providing increased participation across all facilities and ensuring that the potential for increased levels of Physical Activity are realised.
10. The improvements will include install of lighting and cctv in the carpark as well as carpark resurfacing and reinstall of disused parking bays. Electric vehicle charging points will be installed in the carparks. In addition, the increased offer particularly the install of new parks café, toilets and leisure facilities will support the long-term viability of Askern Leisure Centre by increasing footfall and introducing new users to the facility.
11. The works will be designed to complement and support the existing future parks work, which is investing £268k into the parks infrastructure to make the park more accessible and engaging. The phase 3 works will ensure that this investment works in tandem, to deliver the greatest impact from the resources available.
12. Doncaster has persistently low levels of participation in physical activity and sport and this impacts on the quality of life of its residents. Creating a more active borough is an investment in developing greater human, economic,

social and environmental capital. High levels of inactivity have a negative impact on the health of people, economies and the environment. Higher levels of physical activity are associated with positive outcomes such as reduced crime, pollution and traffic. Additionally, productivity, school performance, property values, health and well-being improve drastically with an active population.

13. Doncaster's success in becoming one of only twelve Sport England Local Delivery Pilots, nationally, was a unique and exciting prospect. It provides our residents with the opportunity to live in a borough where being physically active is easily accessible and contributes to Doncaster being a nice place to live, care, learn and work. The ability to connect this work to the development of Askern leisure centre provides an excellent opportunity to undertake a holistic approach that resets the leisure centres position in the community and local environment.

BACKGROUND

14. Sport England Strategic Facilities Fund

Tackling inactivity and advocating for movement, sport and physical activity is a major part of Sport England's Uniting the Movement strategy. Their Strategic Facilities Fund aims to support projects that can encourage people to lead an active and healthy lifestyle. The fund also aims to support local authorities invest strategically in sport and physical activity to deliver outcomes essential to local communities. By helping to build the right facilities in the right places, the fund can help deliver local outcomes essential to those communities.

15. The key objectives of the fund are:

- To encourage the market to be clear about the purpose of their investment, encouraging development of sustainable environments capable of supporting service delivery that delivers against local outcomes
- To encourage the market to work collaboratively (cross-sector and boundaries) using research to determine local outcomes, target audience and the behaviour change needed to achieve the outcomes
- To attract capital investment into local facilities, providing new opportunities to encourage people to live healthier and more active lifestyles.

16. The work at Askern Leisure Centre set alongside Future parks work provides a unique opportunity for investment to support their strategic aims. Sport England recognises that some of the biggest increases in activity have been where sports facilities can be co-located alongside other community services. In particular, the ability to develop an active environment associated with Askern Leisure Centre.

17. The principals of connecting Askern Leisure Centre with Campsall Park and the associated developments have been identified by Sport England as a programme of works that is of particular interest. The ability to test and learn new ways of working will help support the approach that Sport England will develop for future delivery of active environments through their capital investment.

18. Askern Leisure Centre - The Public Decarbonisation Scheme

The Public Sector Decarbonisation Scheme (PSDS) was launched as part of the Chancellor's 'Plan for Jobs 2020'. The £1 billion scheme is intended to support up to 30,000 jobs in the low carbon and energy efficiency sectors.

19. The scheme provides grants for public sector bodies to fund energy efficiency and heat decarbonisation measures. With thousands of public sector buildings, including schools, in need of multiple energy efficiency improvements, the scheme was oversubscribed to in a short space of time.
20. The Council was successful in applying for £1.7m to make essential improvements to Askern Leisure Centre. As the only remaining coal heated leisure centre in England, this was an application that would likely have been of great interest to the grant administrators, Salix Finance.
21. A package of measures was proposed and accepted for Askern Leisure centre to allow a low carbon air source heat pump to provide heating and hot water, replacing the old and very carbon intensive coal fired heating system. This is a very positive step forward and has wider positive impact on the village, DCLT and the Council.
22. The works include:-
- Wall, roof and hot water pipe insulation
 - Replacement glazing to the entrance
 - LED lighting upgrade
 - Air Source Heat Pumps
 - Asbestos removal
 - New building management systems
 - New air handling system

23. Askern Leisure Centre - Doncaster Council Capital Programme Inc. Accelerated Investment

Historically, budget pressures and competing priorities have led to significant underinvestment in DMBC's portfolio of leisure facilities, as funding availability has not been able to match that required to invest in and maintain the facilities to a reasonable and safe standard. Since 2011, Doncaster Culture & Leisure Trust (DCLT) have managed and operated the facilities on behalf of DMBC. The current agreement is set to end in March 2036.

24. A number of solutions to bridge the investment gap have been explored, resulting in increased capital allocation and one off accelerated capital grant, which have enabled works at Askern to target
- Elements identified within the condition surveys (including electrical, mechanical and building fabric elements to ensure facilities can continue to operate safely and effectively)
 - Opportunities to use greener energy solutions
 - Business development opportunities to facilitate income generation to support the viability of DCLT
 - Any additional arising health and safety concerns
25. In conjunction with the above works being delivered at Askern Leisure Centre as part of the Public Decarbonisation Scheme, the allocated amount of

Capital will be utilised to ensure the venue is meeting the elements identified within the condition surveys alongside improving on the Business development opportunities and ensuring the site is modernised and an integral asset of the community.

26. The plans include:-

- Refurbishment of the bridge
- Pool hall refurbishment with changing
- Village and group change facilities
- Studio/Community Room
- Improved food & beverage offering
- Specific toilet and catering facilities accessible by users of the country park
- Working with partnerships to increase opportunities within the locality with regard to accessing culture and celebrating heritage.

27. Campsall Park - Local Delivery Pilot funded Future Parks Programme

Doncaster Future Parks is our whole systems based approach to parks and open spaces, identifying the changes most needed to set in motion a shift in our open space provision, engagement and improvements to working practices.

28. Parks and green spaces are consistently identified through community engagement and our elected members as valued assets for our residents. High quality parks and open spaces were consistently mentioned in the responses from residents across the borough.

29. Campsall Country Park was identified as one of the fifteen Parks accessing funding through the Sport England funded Local Delivery Pilot and has been allocated £268,413 as part of Phase 1 of the Future Parks Programme. The list of improvements identified for the site are included in the following categories:-

- Address perceptions of Safety
- Deliver Improved Access
- Promote Existing Physical Activity Initiatives
- Enhance Opportunities for Active Travel
- Manage Spaces to support sustainability objectives
- Expand the programme of Community Events
- Enhance interpretation and Way finding
- Promote Volunteering Opportunities
- Develop local engagement

30. As mentioned previously Askern leisure centre sits within Campsall Country Park but is disconnected from the park and seen as a separate entity. Our vision for the building is to integrate it into the park and effectively repurpose as a parks building that has a pool and exercise space.

31. We believe this can be achieved through the current investment and establishing a singular point of arrival through the park that connects with the building, Bringing together as one destination emphasising the green space, the park and blue space, the pool as an active environment. By doing so we will have opportunity to engage a wider audience that wish to take part in informal or formal activity.

32. We need to set this concept in understanding of the wider community. There are numerous indicators that provide evidence that traditional approach to Physical Activity and Sport will not engage or resonate with the population Askern some being:
 - Poverty is a key issue, with 20.6% of children living in poverty in.
 - Low school attainment at early years and secondary school level (5.9%), which is significantly worse than the average of Doncaster.
 - High rates of respiratory diseases such as COPD and lung cancer, which could be linked to high levels of smoking.
33. It also identified high cost of living due to lack of diverse shops and services as a key issue
34. However, engagement and consultation has identified strong passion for the community. The Appreciative Enquiry Process undertaken By Well Doncaster identified three emerging themes In Askern and Campsall that the community valued ; community spirit/ pride, green space and local activities and support.
35. Consultation undertaken by DCLT has identified that the facility is much loved and wanted by the community and our Future parks engagement identified similar themes and provide outline key development for the park.
36. With this and wider data available alongside our learning through the LDP enabled us to rethink our approaches and seize the opportunity to develop an approach that will re-engage those existing users but provide a wide offer that reaches out and meets the needs of the greater population.
37. The Sport England monies will provide, improved active environment, bringing together both sites as one by connecting carparks with new road way, install of new lighting, cctv, pathways, access points and refurb of carparks alongside development of dedicated parks /community space.
38. This will be aligned to existing and ongoing works that have been mentioned
39. Our vision is to bring a number of separate opportunities together to build a sustainable and community centric facility with a service that not only meets the operational requirements of DCLT, and our environmental stewardship, but led by community voice ensuring we truly develop an environment that is both engaging, active and accessible for all.

OPTIONS CONSIDERED

Option 1

40. To enable the continued development of the Askern Leisure Centre and Campsall Park sites by agreeing
 - Delegating the decision to accept £910,000 grant funding from Sport England Strategic Facilities
 - Delegating the decision to procure and award deliver the works and services

required to Link Campsall Country Park and Askern Leisure Centre

41. Choosing Option 1 will enable the continuation and further development of the Askern Leisure Centre and Campsall Park sites; Officers will be able to further proceed with the outlined work and realise the benefits and outcomes described.

Option 2

42. Not agreeing to accept £910,000 of Sport England Strategic Facilities funding and preventing further development of the Askern Leisure Centre and Campsall Park sites already being invested in.
43. Choosing Option 2 will prevent the continuation and further development of the Askern Leisure Centre and Campsall Park sites and reduce the impact of work already being delivered through the Public Decarbonisation Scheme, Doncaster Council Capital Programme and Local Delivery Pilot funded Future Parks Programme.
44. Option 1 is the preferred and recommended option.

REASONS FOR RECOMMENDED OPTION

45. Option 1 is recommended, as it will ensure that we capitalise on the investment already being made in the Askern Leisure Centre and Campsall Park sites by linking the two together. This will ensure that the two sites will be able to complement each other and their own specific benefits. This will ultimately benefit the residents of Doncaster by making the sites more accessible and appealing, therefore increasing participation and physical activity levels.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

46.

Outcomes	Implications
<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>The project will increase participation levels and footfall at Askern Leisure Centre and therefore allow DCLTs business model at Askern Leisure Centre to develop further.</p> <p>This ties in to GDM / LDP's vision to use physical activity and sport as a way to ensure Doncaster's residents take advantage of any economic growth in Doncaster.</p>
<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping 	<p>The project will increase participation and physical Activity Levels at both Askern Leisure Centre and Campsall Park therefore working towards ensuring the affected wards are Healthy and Vibrant Communities.</p> <p>This ties in to GDM / LDP's Get Doncaster Moving transformational programme ensuring there is a whole system approach to addressing our physical activity challenges.</p>

<p>Doncaster Clean</p> <ul style="list-style-type: none"> • Building on our cultural, artistic and sporting heritage 	
<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	<p>The potential of both sites being utilised by local Schools is increased further by the link between the two.</p> <p>One of the areas of focus of the GDM / LDP programme is families and children. It is well evidenced that physical activity contributes to children and young people's learning.</p>
<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>Physical activity levels reduce in older age. The GDM / LDP programme is focussing on those residents who are the most inactive, helping them to live well and independently.</p> <p>The proposed works included in the projects at both sites include a wide variety of accessibility improvements, making them a more viable option for older / vulnerable residents.</p>
<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>The project is Building community resilience and self-reliance by connecting the two community assets and their strengths.</p> <p>The GDM / LDP programme is utilising community insight to ensure that we build on the assets that we have and enhance community capacity to improve people's lives through physical activity.</p>

RISKS AND ASSUMPTIONS

47. There are a number of risks associated with the funding from Strategic Facilities fund:-

Risk Category	Risk of accepting funding (if applicable)	Risk of not accepting funding (if applicable)
Financial & Legal/compliance	<p>The Terms and conditions of the funding agreement are not adhered to.</p> <p>The Monitoring requirements of the funding are not adhered to.</p>	<p>Linking the two sites to meet the original goals of all 3x projects will be much more difficult and potentially costly to the Council.</p> <p>Potential for some aspects of the projects to be removed due to cost implications.</p>
Organisational	N/A	Without this funding, there will be a significant challenge to achieve aspects of the original proposals, therefore changing the structure of the projects.

Reputation Stakeholder Management /	N/A	Aspects of the project to be removed, undermining what was requested by the local community, Ward members and other stakeholders as part of consultations. Our local and national reputation if we do not continue with our commitment to this project will be severely affected risking future funding in this area of work.
DCLT	N/A	The business plan / case proposed for Askern Leisure Centre, incorporates expected footfall from Campsall Park visitors and therefore will be negatively affected. This could result in the financial viability of the site being in question.

LEGAL IMPLICATIONS [Officer Initials...NJD..... Date...1/7/22....]

48. Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do.
49. Section 111 of the Local Government Act 1972 gives the Council the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
50. Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 to provide recreational facilities as it thinks fit.
51. Section 2B of the National Health Service 2006 (as amended by section 12 of the Health and Social Care Act 2012) places a duty on Councils to take appropriate steps to improve the health of the people who live in their area.
52. The Council will be required to enter into a funding agreement with Sports England. The funding agreement will contain obligations which the Council must comply with, failure to do so may invoke clawback of the grant.
53. The procurement of goods, works and services must be carried out in accordance with the Councils contract procedure rules and the Public Contracts Regulations 2015.
54. Further legal advice will be given as this project continues.

FINANCIAL IMPLICATIONS HR 23/06/22

55. As per the Financial Procedure Rule E.9 Directors are authorised to apply for external funding, in consultation with the CFO, which contribute to the delivery of Council services or achievement of Council goals. Grant acceptance and/or commitment is subject to key decision rules. This report seeks approval to accept the grant and approve addition to the Council's capital programme, if approved a CAP1 form will need to be completed and shared with the CAMP board for inclusion in the capital programme.
56. On approval, the works on the scheme would be looking to commence around September 2022. The grant award of £910k is expected to fully meet the cost of the scheme. In the event that the cost of the scheme exceeds the

grant award, the Council in consultation with DCLT, will need to consider options available to fund any shortfall.

57. The agreement between Doncaster Council and Sport England is currently being reviewed and the terms and conditions including timescales for spending the grant will be confirmed. As part of the terms and conditions of the grant it is expected that Sport England will require evidence of expenditure against budgeted forecasts, therefore careful planning and monitoring will need to be considered to ensure conditions can be met and there is no breach which could in turn lead to funds being withheld or claw back of any grant paid. The grant is being awarded specifically for the works outlined in this report; it cannot be used for an alternative project.

HUMAN RESOURCES IMPLICATIONS [Officer Initials EL Date 22/06/2022]

54. There are no direct HR implications in relation to this report.

TECHNOLOGY IMPLICATIONS [Officer Initials...PW Date...21/06/22]

55. There are no specific technology implications in relation to this report.

HEALTH IMPLICATIONS [Officer Initials AM Date 24/06/2022]

56. The opportunity to engage in positive activities and the resulting benefits that regular activity provides

EQUALITY IMPLICATIONS [Officer Initial AM Date 17-1-22]

57. Affordable and accessible sports and fitness facilities are important in increasing participation. Accessible facilities help promote increased physical activity levels in the general population, supporting a reduction in the rates of obesity and all associated indices. Being physically active is also an important contributing factor in individuals remaining healthier and independent for longer and supporting sustained reductions in health inequalities.
58. Greater opportunities will be afforded to residents through being physically active, leading to improvements in their quality of life. Children and young people will have the opportunity to engage in positive activities and the resulting benefits that regular activity provides

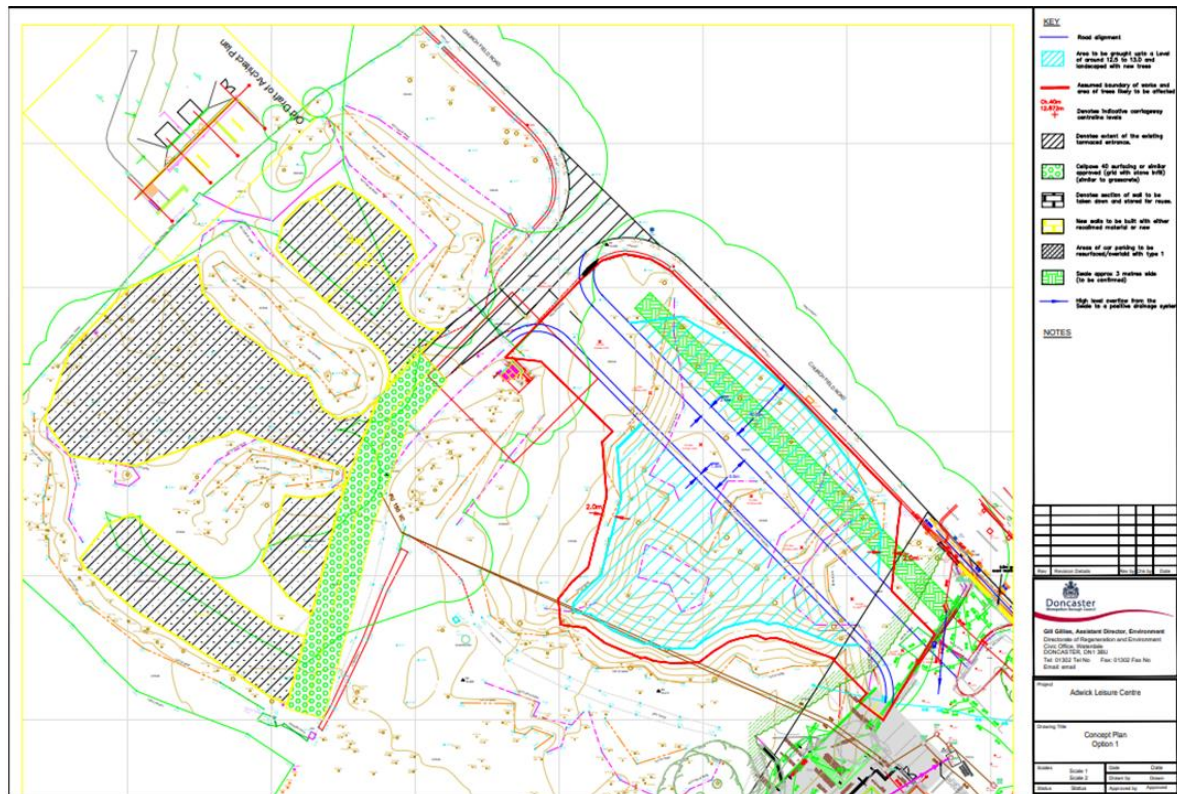
CONSULTATION

59. Consultation has been undertaken with ward councillors and portfolio holder, further community consultation has resulted in over 500 responses through DCLT engagement and 200 through Future parks engagement. These results are being fed into the design process for the build and help define programmes of activity the facility will provide.

BACKGROUND PAPERS

60.

Scheme Design



Accelerated leisure investment:

<https://doncasterintranet.moderngov.co.uk/ieDecisionDetails.aspx?ID=2213>

Public sector decarbonisation scheme:

<https://doncasterintranet.moderngov.co.uk/mglIssueHistoryHome.aspx?IId=16949&Opt=0>

To accept further funding from Sport England to continue to develop & implement Doncaster's Sport England Local Delivery Pilot & delegate to Dir. of Public Health in consultation with CFO & relevant Portfolio Holder:-

<https://doncasterintranet.moderngov.co.uk/mglIssueHistoryHome.aspx?IId=15269&Opt=0>

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

LDP – Local Delivery Pilot

GDM – Get Doncaster Moving

DCLT – Doncaster Culture Leisure Trust

REPORT AUTHOR & CONTRIBUTORS

Andrew Maddox

Business Development Manager, Leisure Services

(01302) 737377

Andy.maddox@doncaster.gov.uk

Darren Simpson

Leisure Service Contract and Performance Management Officer

(01302) 737721

darren.simpson@doncaster.gov.uk

Dr Rupert Suckling

Director of Public Health



Doncaster Council

Report

Date: 10 August 2022

To the Chair and Members of the
CABINET

HOUSEHOLD WASTE RECYCLING CENTRE (HWRC) MANAGEMENT CONTRACT

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Mark Houlbrook	All	Yes

EXECUTIVE SUMMARY

- 1 The current Household Waste Recycling Centre (HWRC) contract has been in place since October 2018 and is delivered in partnership with Barnsley and Rotherham Councils. In October 2023 the current contract expires. Waste officers from Barnsley, Doncaster, and Rotherham (BDR) Councils have been exploring the options available for future service delivery.
- 2 BDR Council officers have worked on improving the current provision through a potential new contract, by aligning operational procedures where possible. These include vehicles access, material acceptance and permitting conditions. This report seeks approval for changes to the operational procedures within the service.
- 3 This report also seeks permission to enter into a joint procurement with Barnsley and Rotherham Councils for HWRC provision.

EXEMPT REPORT

- 4 No

RECOMMENDATIONS

That Cabinet:

- 5 Approve the option of undertaking a collaborative procurement and award a contract for the provision of Household Waste Recycling Centres in the borough in partnership with Barnsley and Rotherham Councils and approve the leasing of Doncaster's 6 HWRCs to the successful provider.

- 6 Approve the decision to appoint the service provider and agree for all contractual documents for the HWRC Management Contract, be delegated for approval to the Director of Economy and Environment, to be agreed in consultation with the Portfolio Holder for Sustainability and Waste.
- 7 Approve the changes to the operational procedures outlined within the report.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

- 8 The Six Household Waste Recycling Centres are available for residents to dispose of their household waste and recycling, there are located at:
 - Armthorpe
 - Balby
 - Carcroft
 - Conisbrough
 - Hatfield
 - Rossington
- 9 The new contract will provide a modernised and efficient service embracing new equipment, technology and digital infrastructure to improve the service experience for residents, this will include:
 - Enhanced use of digital technology to provide a more streamlined customer friendly permitting system, generating real time information and monitoring to improve site accessibility and better manage waiting times. It will also allow the gathering of service analytics data, including vehicle volumes and flows at each site and will support customer targeting and enhance future service development.
 - The new contract will also potentially include a commercial waste offering at targeted sites for a range of materials which may include:-
 - Inert/Rubble
 - Asbestos
 - Plasterboard
 - Wood
 - Green Waste
 - Cardboard
 - WEEE (Waste Electronic and Electrical Equipment)
 - Mixed Waste (Residual waste)
 - The new contract will also allow provision of Community skips, that will be available for hire by community groups and partner organisations to support action/clean-up days.

BACKGROUND

- 10 The Council has a statutory obligation to provide HWRCs to residents within the borough
- 11 The Current HWRC Contract has been in place since October 2018 and is delivered in partnership with Barnsley and Rotherham Councils. This contract is due to terminate on 28 October 2023. Waste officers from Doncaster in conjunction with Barnsley and Rotherham Councils have been exploring

options for the future service delivery.

- 12 A borough wide consultation exercise across Barnsley, Doncaster and Rotherham commenced in June 2022. The consultation results will be presented to Portfolio and used to inform the completion of the contractual document and specification. There were two online consultations, closing at the end of July, covering.
 - one aimed at residents to ascertain improvements that can be made to the HWRC service
 - the other aimed at businesses to scope commercial waste demand, materials requiring disposal and preferred access times
- 13 In order to undertake some initial scoping for the new service, a robust soft market testing document has been prepared and sent to potential service providers. This will be complimented by a site visit to one of their contracted areas. Both the soft market testing with potential contractors and consultation will help to inform the Council's future service under the various options presented in this report.
- 14 The soft market testing document includes options on the implementation and delivery of a number of new service developments, including:
 - Automatic Number Plate Recognition (ANPR)
 - Hosting and managing a digital customer registration system(s) including a residents registration scheme that will enable cross border use of HWRCs with the BDR area, widening customer choice and accessibility to HWRC facilities
 - The introduction of a commercial waste offer for local businesses based within the BDR contract area.
 - In keeping with the Council's commitment to sustainability and response to the environmental emergency explore the opportunities to increase re-use of goods and materials and options for repair
 - Options for hard to recycle materials, such as mattresses, carpets and paints, dependant on market availability
 - A wider set of Key Performance Indicators (KPIs), performance standards and changes as a result of the Environment Act 2021.
- 15 In preparation for the new contract, officers have explored opportunities to harmonise the operational procedures across BDR, whilst also giving each partner authority the ability to offer be-spoke elements at their HWRCs to meet differing need and customer expectation. Doncaster's current contract already provides enhanced facilities for disposal for a number of waste products, compared to Barnsley and Rotherham including:

Construction Type Waste – Accepted at all sites. Residents can dispose of up to 5 items of DIY waste OR 5 sacks (80ltr/25kg) of DIY waste OR a mixture of both to a total of 5 items from small internal DIY projects which have carried out themselves. There is no restriction on repeat visits.

Asbestos – Accepted at Armthorpe only. Asbestos is accepted from residents who have undertaken DIY work at their home. A maximum of eight sheets or bags are accepted, each visit must be pre-booked and an appointment made at prescribed times. This material must also be prepared correctly prior to acceptance at site. There is no restriction on repeat visits.

Car Tyres – Accepted at all sites. A maximum of four car tyres off rims (no industrial/commercial vehicle tyres) are permitted. There is no restriction on repeat visits.

Van Permits – Permitted at all sites, with the exception of vehicles e.g. over 6ft/1.83m high which can only access Armthorpe. The permits are valid for 2 years and there is no restriction on the number of visits within this time.

Trailer Permits – Permitted at all sites. The permits are valid for 2 years and there is no restriction on the number of visits within this time.

One-Off Tips – Permitted at Armthorpe only. One-off tips are designed for residents who need to hire a vehicle or own a vehicle that cannot be granted a permit, to dispose of household waste. Each visit must be pre-booked. A one-off tip is just one visit; all such visits are at the discretion of the council and only two visits per year, 6 months apart, will be allowed from any domestic property within the borough.

Pedestrian Permits – Permitted at all sites. Pedestrian access is permitted, with a Pedestrian Permit any person who lives in a parish or village within which a HWRC is sited and who either does not have access to a vehicle or chooses not to use a vehicle to access site. Pedestrian Permits are issued to ensure safe access to sites as it is not possible to install pedestrian gates.

Access for Charities - Permitted at Armthorpe only. Registered charities have the ability to deposit waste in conjunction with their charitable obligations.

Sign Written Vans – Permitted at all sites. Company vehicles are permitted with written approval from the van driver's employer. The vehicles and occupants cannot dispose of waste in connection with the business as indicated by the vehicle signage.

16 **Proposed Changes and Improvements to Existing Operational Procedures are as follows:**

BDR Residents On-line Registration Scheme – it is proposed to enhance and improve HWRC access across the region via the implementation of an on-line customer registration process, which will log and retain the information of vehicles of residents who make use of any of the HWRCs within the contract boundary. This new system will enable residents from Doncaster to also use HWRC facilities in either Barnsley or Rotherham, improving accessibility, convenience and widening customer's waste disposal options and potentially reduce travelling time for residents.

Councils already use a range of digital methods to monitor customer numbers and footfall for example in parks, museums and libraries, and increasingly many HWRC's are embracing new technology in order to improve the customer experience and enhance data gathering and customer insight within the waste industry. The new contract proposes to introduce Automatic Number Plate Recognition (ANPR), at all BDR sites.

The use of Digital Technology (including ANPR and a customer registration scheme) will capture key metrics and allow the Council to:

- Better manage waiting times at HWRC sites. An ANPR system will allow vehicle numbers to be tracked, building up an accurate, and real time picture of busy and quieter periods at each individual site. Residents will then have the option to avoid busy periods at their nearest HWRC, or take their waste to a quieter site.
- Use real time data to assist with future service development and respond to customer demand and behaviour. Eg, if we know a particular site is quiet on a Tuesday afternoon, we could feasibly use that quiet time to for a commercial waste disposal offer.
- Use the data gathered to undertake targeted campaigns in specific neighbourhoods and communities to encourage residents to reuse and recycle. Develop an accurate picture of where site users are travelling from and what sites they are using, and identify communities where residents use HWRCs less frequently. This information will again allow us to undertake targeted work, based on the evaluation of data and our knowledge of which sites are being used most frequently and at what times.
- Amend procedures to be able to tighten or relax site access policies
- Automate a number of processes, such as applying online to register or book an appointment to dispose of asbestos.
- Use accurate data to determine any future changes to site opening times based on evidenced customer demand
- Highlight users and restrict access to residents from other authorities outside of the BDR boundary
- Peak periods of demand are likely to be smoothed out across the days and week, as HWRC users have access to information about busy periods at each site, with many arranging their visits for quieter times.

Subject to soft market testing and costings, the introduction of ANPR will allow residents within the BDR partnership area to use any site within the three boroughs. Allowing this cross-border travel supports the Council's sustainability agenda by allowing Doncaster residents to cross the border and use their nearest HWRC in a neighbouring authority. This will help to, reduce carbon emissions and increase customer choice. Residents in the north-west and south-west parts of the borough will most likely benefit from this cross-border offer.

Construction Type Waste – it is proposed to align the new contract with DEFRA's recent consultation proposals which is to permit this type of waste resulting from householder DIY home projects to 300 litres (average car boot size) no more than once per week. This may change in line with the results of the consultation being undertaken by DEFRA.

Access for Vans – it is proposed to improve and increase access for vehicles over 6ft/1.83m which are currently restricted to Armthorpe. Sites will be identified in consultation with the provider through the Soft Market Testing exercise.

To better manage usage and minimise the risk of commercial traders exploiting the Council's free HWRC service, site users registering to use a van will initially be allowed 12 visits within 12 months. Access to sites will be monitored through an ANPR system that will streamline the registration and monitoring process. Consultation with other authorities has indicated that this approach has been effective in ensuring fair usage by commercial traders.

Access for Trailers - It is proposed that site users registering to use a trailer be initially allowed 12 visits within 12 months, this again will be monitored through an ANPR system and can be amended following a review of the data obtained in relation to site usage.

One-Off Tips – it is proposed to allow vehicles over 6ft/1.83m access to sites other than Armthorpe, given that there are practicalities and potential site limitations and restrictions, sites will be agreed in consultation with the new provider, through the Soft Market Testing exercise.

Introduction of Commercial Waste – it is proposed to implement commercial waste acceptance at some of the Council's sites. Details of the new commercial offer will be developed following analysis of the findings of the Soft Market Testing stage. During this stage prospective contractors will be asked to provide options for introducing a commercial waste offering at one or more site in each borough. This new facility would be for small and medium businesses and could generate a potential income for each council.

Whilst not guaranteed, the development of a commercial waste offer for small businesses may assist the Council with its efforts to tackle fly-tipping. A significant amount of commercial waste is dumped in the borough and giving small businesses the opportunity to dispose of their waste for a modest gate fee, may dissuade businesses from passing on their waste to the type of unregulated waste disposal companies who advertise 'cheap' services on social media.

- 17 In addition to providing a modernised and efficient service, the Council will undertake further work to build in social value return into the new contract.

Officers will advocate for maximum social value impact through assessment criteria during the tender process, which will address issues such as ensuring contracted staff are paid the living wage, and that the workforce reflects the local community.

- 18 The contractual term is yet to be determined and will be subject to further negotiations within the partnership structures. The duration of the contract must be reasonable, fair, and proportionate, delivering value for money whilst also providing sufficient scope for the Council to adjust or reshape service delivery as per local needs, or in response to national change, such as the Waste and Resources Strategy. Any contract period will ensure appropriate break clauses alongside ensuring strong terms and conditions which will allow poor performance to be appropriately managed, including termination if necessary.
- 19 In considering the potential for a renewed BDR partnership provision for HWRCs, officers have considered areas for further development within the new service including:-

Increased Recycling

The new contract will look to further increase recycling within the BDR authorities. This will be achieved by including new and more ambitious recycling targets into the contract, and by tasking staff with supporting residents to recycle more of their waste during their visit, for example encouraging HWRC users to split bagged up waste to ensure that more of the waste being 'tipped' is recycled appropriately.

Innovate Re-use

This is an increasing area of interest and development as part of national and local ambitions to move towards a more circular economy. Currently Re-use items are collected at sites and sold at the FCC Reuse shop in Conisbrough. The new contract would also seek to improve this service either by offering a Reuse shop in each borough or alternatively by working closely with local charities in each authority so that reusable and repairable items are taken out of the waste stream.

New Equipment

The new contract will result in the installation of new or refurbished skips, ramps, signage, haulage vehicles and plant over the term of the contract. Carbon savings will be made as a result of new vehicles and plant.

- 20 A draft due regard statement has been prepared and attached to this report outlining that altering these operating procedures does not have a disadvantage in regard to the relevant protected characteristics under the Equality Act, which include; age, disability, race, gender, sexual orientation, religion and belief, maternity and pregnancy, gender reassignment or marriage and civil partnership.
- 21 Costs and prices for many HWRC related services have increased significantly over recent months, including HGV driver payments, red diesel, and other general inflationary rises. Therefore, it is likely that the current contract prices will be subject to uplift as part of the new contract once procured.

OPTIONS & RECOMMENDATIONS

22 In developing this paper the following options have been considered: -

- Officers have examined the relevant costs and benefits of an in-house delivery verses delivery through joint procurement with Barnsley and Rotherham Councils.
- From a cost perspective, modelling shows that developing an in-house service would likely increase costs significantly. The modelling compares current costs within the partnership arrangement compared to the likely best- and worst-case scenarios of bringing the service in-house. Due to the decreased general efficiencies of operating alone alongside a reduction in the tonnages of waste and recyclables, there would be a significant increase in annual costs estimated at between 34 and 47%.
- The Council would also need to procure some services to process HWRC waste and recycling as a minimum in terms of collection, haulage and disposal. As a result of procuring services via the BDR partnership the contract value is larger which is likely to generate more interest from potential suppliers.
- HWRCs require specific site permitting, health and safety, and legal compliance, which in the event of a contracted service, would be with the contractor, removing an element of risk from the Council. Under the joint procurement option, a single procurement exercise would take place.

Option 1 (Recommended Option) – Grant permission to approve the procurement of the Household Waste Recycling Centre Management Contract

The Council has a statutory duty to provide HWRC provision to its residents. The procurement of the HWRC contract is therefore required under Contract Procedure Rules and EU procurement regulations. Given current budget restrictions and the increased overheads of council provision compared to external contractor delivery on behalf of BDR, providing the service in-house is unlikely to provide best value. Therefore, procuring HWRC services via the BDR partnership is felt to be most cost effective.

Option 2 – (Recommended Option) Agree to delegate the decision to appoint the service provider

If approved, the Director of Economy and Environment, in consultation with the Portfolio Holder for Sustainability and Waste will agree the preferred contractor.

Option 3 – Do not approve the delegation of the decision to appoint the service provider

If delegation is not approved this will result in delays to the timetable, which will also impact on Barnsley and Rotherham Councils. There is no further extension available within the current service contract, and further delay could result in a breach of procurement regulations.

Option 4 – (Recommended Option) Approve all of the changes to the operational procedures

The proposed changes to the operational procedures will allow the Council to procure a more effective and efficient contract and harmonise operational procedures across the joint BDR contract

Option 5 – Do not approve the changes to the operational procedures

If the operational changes are not approved, this may result in difficulties in implementing an effective and efficient service within BDR.

REASONS FOR RECOMMENDED OPTION

- 23 Option 1- recommended to ensure compliance within the procurement regulations.
- 24 Option 2 - recommended to permit the Director of Economy and Environment, in consultation with the Portfolio Holder for Sustainability and Waste to make the appointment.
- 25 Option 4 - recommended to permit the council to maximise an effective and efficient service and harmonise operational procedures across the joint contract

IMPACT ON THE COUNCIL'S KEY OUTCOMES

26

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>The Household Waste Recycling Centres can be used by all householders and there is also an opportunity to include commercial operations on some sites and therefore helps to maintain a thriving economy which residents benefit from.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	<p>The continued procurement of Household Waste Recycling Centres will ensure that waste management targets can be achieved and value for money is ensured.</p> <p>Dealing with waste appropriately safeguards the environment from fly tipping and environment nuisance.</p>

	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	
	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>The procurement of the contract will ensure that the service is delivered at market cost and is value for money.</p> <p>The new contract will be in partnership with a private sector organisation, requiring a high level of social value.</p>

RISKS AND ASSUMPTIONS

- 27 Without the new contract (and resources) to deliver our statutory obligations these services will either cease (we do not have the internal resources to deliver these services), or the Council will be in breach of procurement regulations.

LEGAL IMPLICATIONS [Officer Initials NJD Date 26.07.22]

- 28 The Council is a Waste Disposal Authority for the purposes of the Environmental Protection Act 1990 (the "Act"). Section 51 of the Act requires a Waste Disposal Authority to provide places which residents within its area may deposit their household waste for disposal for free, that the arrangements are reasonably accessible to persons resident in the area and are available at reasonable times including weekend provision. It is however permissible to restrict the deposit of certain types of waste to certain sites.
- 29 Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.
- 30 Section 123 of the Local Government Act 1972 the Council has statutory power to dispose of non-housing/non-HRA land by way of a short tenancy of less than seven years, without the Secretary of State's consent.
- 31 As the leases are intended to have a break clause in favour of the Council (in the event the contract is not extended) it will be necessary to ensure the leases are excluded from the statutory renewal provisions of the Landlord and Tenant Act 1954 to enable effective termination
- 32 The procurement of the service will need significant legal advice going forward and must be carried out in accordance with both the Councils contract procedure rules and the public contracts regulations.
- 33 In order to comply with the general duty on Councils to act fairly, when a proposal removes benefits that are or might be conferred on members of the public, it is important that the Council formally consults with relevant stakeholders. In order to undertake a lawful consultation exercise, sufficient reasons must be put forward for the proposals to allow for intelligent consideration and response by the stakeholders; adequate time must be given for consideration and response; and the product of the consultation must now be consciously taken into account by the decision maker before a final decision is made on the proposals.
- 34 The decision maker must be aware of their obligations under the public sector equality duty (PSED) in s149 of the Equality Act 2010. It requires public authorities when exercising their functions to have due regard to the need to: eliminate discrimination, harassment and victimization; advance equality of opportunity; and foster good relations between people who share relevant protected characteristics and those who do not. The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination. The decision maker must ensure that they have seen the due regard statement. The duty must be exercised in substance, with rigour, and with an open mind and is not a question of ticking boxes. It is for the decision-maker to decide how much weight should be given to the various factors informing the decision, including how much weight should be given to the PSED itself. The duty is a continuing one and there should be a record/audit trail of how due regard has been shown. It is not sufficient for due regard to be a "rear-guard action" following a concluded decision The decision maker must also pay regard to any

countervailing factors and decide the weight to be given to these, which it is proper and reasonable to consider; budgetary pressures, economics and practical factors will often be important.

FINANCIAL IMPLICATIONS [RT..... Date...28/07/22.....]

- 35 The current HWRC service operates within an overall budget of £1.49m which covers all management costs as well as processing and haulage costs.

The following elements of the harmonisation changes are not expected to have any significant financial implications with only minor changes to quantities and tonnages disposed of:-

- Construction Type Waste
- Van Permits
- Trailer Permits
- One-off tips
- Resident Permits
- Commercial Waste

Some of the harmonisation changes (including registration scheme and commercial waste) may result in the introduction of new fees and charges. It is essential that Financial Procedure Rules are followed, specifically rule B.16 which states – “Any new fees and charges proposed within the financial year or any changes to existing fees and charges will be approved by the Chief Finance Officer (CFO) in consultation with the relevant portfolio holder, subject to key decision rules and reported to cabinet in the quarterly monitoring report”.

The cost of inflation is highlighted as a risk within the report, increases in costs including HGV driver payments, red diesel and general inflation, mean the contract will cost more than the existing budget.

This report includes delegations to the Director of Economy & Environment to appoint the contractor. The decision made by the Director will need to consider any financial implications from the ANPR cameras (potential additional costs) and how they will be funded. In addition, as stated above, approval by the CFO is needed if new fees and charges are to be introduced. To be able to make these decisions the Director needs to be satisfied that sufficient budget will be available to meet the contract costs.

HUMAN RESOURCES IMPLICATIONS [Officer Initials DK Date 26/07/2022]

- 36 There are no direct HR Imps in relation to this report, but if in future staff are affected or additional specialist resources are required then further consultation will need to take place with HR. HR would need to be part of the contract evaluation process moving forward.

TECHNOLOGY IMPLICATIONS [Officer Initials PW..... Date...26/7/2022]

- 37 As stated above, the proposed new contract will include enhanced use of modern technology permitting a more streamlined user-friendly permit system, and real time information and HWRC usage monitoring. In house development work is currently underway to deliver a new online customer registration application process for HWRC and it is understood that there is no impact on that work or changes to requirements as a result of this report.

- 38 All procurement of technology by the Council must be considered by the Technology Governance Board (TGB). Customers, Digital & ICT would then need to be fully involved in the procurement exercise to ensure that any new technology meets the necessary technical and security standards and requirements. Consideration also needs to be given to:
- Changes to existing processes within Waste & Recycling and Customer Services, including requirements for Customer Services to deal with permit requests by phone, where applicable
 - Changes to existing online content and technology to incorporate any new or replacement solutions being delivered as part of the new contract.
 - Integration requirements with existing technology, where applicable
 - Contractual end dates for existing technology and potential need for further integration development work during the term of the new HWRC contract

HEALTH IMPLICATIONS [Officer Initials RS. Date ...26.07.22]

- 39 Effective waste management plays an important role in protecting public health. The service being proposed aims to support the public to dispose of their waste in a responsible and sustainable way helping to avoid fly-tipping which can have a negative effect on resident's wellbeing. Responsible and sustainable waste disposal and recycling can have a positive impact on our local communities and the wider environment. Fly tipping can negatively affect the wider community; how it looks and how people feel about where they live. Where the composition of fly-tipped waste includes hazardous waste, fly-tipping can threaten our ecosystem and wildlife and may even depict a risk to human life. Fly-tipping also negatively impacts on the local landscape and enjoyment of green space for residents and visitors. It is important that the service considers the views of residents in their ability to access the service and in particular considers those with barriers to disposing of waste appropriately.

EQUALITY IMPLICATIONS [Officer Initials...LG..... Date...26/7/2022]

- 40 A draft due regard statement is attached at Appendix 1 which should be considered as part of making the decisions on this report and recommendations.

CONSULTATION

- 41 This contract will be jointly procured between Barnsley and Doncaster and Rotherham Councils. Officers have worked together to produce the specification, evaluation matrix, performance schedules and contract.
- 42 A borough wide consultation exercise across Barnsley, Doncaster and Rotherham commenced in June 2022. The consultation results will be presented to Portfolio and used to inform the completion of the contractual document and specification. There were two online consultations, closing at the end of July, covering.
- one aimed at residents to ascertain improvements that can be made to the service
 - the other aimed at businesses to scope commercial waste demand and acceptance
- 43 Consultation has also been undertaken with the Procurement Team, Assets and Doncaster Council Property Lawyers who are subsequently drawing up the lease agreements.
- 44 The Assistant Director Environment and Head of Service have been consulted about the contents of this contract.
- 45 This report has been consulted on with the Portfolio Holder for Sustainability and Waste to shape the service in preparation for the new contract.

BACKGROUND PAPERS

- 46 Due regard statement. Attached to this report at Appendix 1

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

ANPR – Automatic Number Plate Recognition

BDR – Barnsley, Doncaster and Rotherham

DEFRA – Department for Environment, Food and Rural Affairs

HWRC – Household Waste Recycling Centre

KPI – Key Performance Indicators

WEEE – Waste Electronic and Electrical Equipment

REPORT AUTHOR & CONTRIBUTORS

Kellie Hopkins, Assistant Director – Environment

01302 736170

Kellie.hopkins@doncaster.gov.uk

Lee Richardson, Waste & Recycling Manager

01302 734987

lee.richardson@doncaster.gov.uk

Dan Swaine
Director Economy and Environment

Appendix 1

EQUALITY, DIVERSITY AND INCLUSION

DONCASTER METROPOLITAN BOROUGH COUNCIL

Due Regard Statement

Changes to Household Waste Recycling
Centre operational procedures as part of a
new contract to commence in October 2023.

Due Regard Statement

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any report produced needs to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

1	<p>Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.</p>	<h2>Household Waste Recycling Centres (HWRCs).</h2> <p><i>Background</i></p> <p>For over 25 years the Barnsley, Doncaster and Rotherham Councils Waste Partnership (BDR) have jointly awarded the contract for the operation of Household Waste Recycling Centres (HWRCs) across all three boroughs. Over this period, each council has implemented their own operational procedures relating to certain aspects of how the HWRCs operate, for example: vehicle access permits, discretionary one-off tips, and resident permits.</p> <p>In addition to these differences, recent consultation proposals by DEFRA relating to construction-type waste may require BDR to align the current amount of such waste accepted at the HWRCs to those set out in the proposals.</p> <p>The recent consultation by DEFRA states that :</p> <p>The Government’s policy is clear that householders should not be charged to dispose of DIY waste at HWRCs. DEFRA propose that construction waste should be considered DIY Waste and classified as household waste in the 2012 Regulations when it meets certain criteria. DEFRA propose that these criteria are:</p> <ul style="list-style-type: none"> • The construction waste is produced by householders whilst carrying out construction works themselves at their home. Construction is defined in the 2012 Regulations as including improvement, repair or alteration. • The construction waste is not produced as a result of commercial activities or by a commercial contractor charging for work in a domestic premises. • The construction waste is of a volume, which is no greater than 300L (based on the approximate boot size of a family car).
---	---	---

- The construction waste is not produced on a regular basis requiring HWRC visits more frequently than once a week.

The proposed criteria are intended to allow householders to deposit DIY waste for free (as it should be treated as household waste) but for local authorities to still be able to charge for other construction waste, which is classified as industrial waste. For example, if a householder brought more than 300L of construction waste to the HWRC or brought 300L of construction waste to the HWRC on a regular basis, it would not be DIY waste and could be charged for. Equally, if a tradesperson brought any amount of construction waste, it would still be industrial waste.

With a new contract for the operation of the HWRCs due to commence in October 2023, now is the perfect time for BDR to standardise operational procedures for the new contract to ensure that the councils are able to tender an efficient and effective service. In order to do this, all three councils will be required to make changes to various operational procedures.

Changes to Operational Procedures

Vehicle Access Permits

Current operational procedure:

Vans over 6ft/1.83m in height, including smaller vans with roof attachments that put the vehicles height to over 6ft/1.83m, can only have a vehicle access permit for Armthorpe. The following vehicles cannot have a vehicle access permit due to their size, load capacity and the time they take to unload which impacts on the throughput of vehicles:

- Flatbed pickup/tipper type vehicles
- Box type/Luton vans
-

The above vehicles will continue to be excluded from applying for a vehicle access permit.

	<p>Such vehicles can continue access Armthorpe once every 6 months through the pre-booked discretionary one-off tip system.</p> <p><i>Changes to operational procedure:</i></p> <ol style="list-style-type: none">1. To allow vans over 6ft/1.83m in height, with a vehicle access to certain HWRCs other than Armthorpe HWRC, which is currently the only site to accept vans over this height. <p>The decision on additional HWRCs will be made after consultation through Soft Market Testing with potential providers, along with looking at the suitability of sites to accept vans over 6ft/1,83m in height and consideration of information obtained on vehicle numbers passing through each HWRC via the on-site traffic counters.</p> <p>It is expected that this change will help reduce Doncaster's carbon footprint and help meet the council's commitment to tackle climate change by reducing the distance residents with such vehicles have to travel to dispose of their waste.</p> <p>It is also expected that by offering residents with such vans more choice, it will encourage more residents to apply for a vehicle access permit.</p> <p><i>Current operational procedure:</i></p> <p>Vehicle access permits last for two years during which time the holder can visit their nominated site as many times as they want.</p> <p><i>Changes to operational procedure:</i></p> <ol style="list-style-type: none">2. To better manage usage and minimise the risk of commercial traders exploiting the Council's free HWRC service, site users registering to use a van or vehicle with trailer will initially be allowed 12 visits within 12 months. Similar schemes operated by our BDR partners have shown that 12 visits in 12 months is sufficient for the
--	--

quantity of waste that the average household would reasonably be expected to generate. It is proposed that 12 visits in 12 months be monitored through use of ANPR.

It is expected that this change will alleviate the current misuse of the HWRCs by unlicensed waste carriers that adds an extra financial burden to the operation of the HWRCs.

Again, by introducing this new system, it is expected that it will help reduce Doncaster's carbon footprint and help meet the council's commitment to tackle climate change. This will be done by residents with such vehicles and vehicle/trailer combinations making fewer visits to the HWRC by making full use of the vehicle or trailers full capacity.

Vehicle access permits will continue to be free of charge.

Discretionary pre-booked One-off Tips

Current operational procedure:

Discretionary, pre-booked "One-off" tips are designed for residents who need to hire a vehicle, or own a vehicle that cannot be granted a permit, to dispose of household waste. Such visits are allowed once every 6 months. However, Waste and Recycling (W&R) can use their own discretion and allow more visits under certain circumstances e.g. where relatives are clearing a property of a deceased family member or where a family member has moved into permanent residential care. Discretionary, pre-booked "One-off" tips take place at Armthorpe site only.

Requests for discretionary One-off Tips must be made by 14:00hrs on the day before a visit is required: by 14:00hrs on a Friday for visits required on Saturday, Sunday or Monday. The only time this requirement changes is in the run-up to a Bank Holiday and is publicised via the council website two weeks before.

	<p><i>Changes to operational procedure:</i></p> <p>To allow residents to pre-book discretionary One-off tips to take place at other HWRCs instead of the current restriction of Armthorpe HWRC only. The decision on additional HWRCs will be made after consultation through Soft Market Testing with potential providers, along with looking at the suitability of sites to accept vans over 6ft/1,83m in height and consideration of information obtained on vehicle numbers passing through each HWRC via the on-site traffic counters.</p> <p>It is expected that this change will help reduce Doncaster's carbon footprint and help meet the council's commitment to tackle climate change by reducing the distance residents have to travel to dispose of their waste.</p> <p><i>Introduction of an On-line Registration Scheme</i></p> <p><i>Current operational procedure:</i></p> <p>The council does not have an On-line Registration Scheme.</p> <p><i>Changes to operational procedure:</i></p> <p>It is proposed to enhance and improve HWRC access across the region via the implementation of an on-line customer registration process, which will log and retain the information of vehicles of residents who make use of any of the HWRCs within the contract boundary. This new system will enable residents from Doncaster to also use HWRC facilities in either Barnsley or Rotherham, improving accessibility, convenience and widening customer's waste disposal options and potentially reduce travelling time for residents.</p> <p>Councils already use a range of digital methods to monitor customer numbers and footfall for example in parks, museums and libraries, and increasingly many HWRC's</p>
--	--

are embracing new technology in order to improve the customer experience and enhance data gathering and customer insight within the waste industry. The new contract proposes to introduce Automatic Number Plate Recognition (ANPR), at all BDR sites.

The use of Digital Technology (including ANPR and a customer registration scheme) will capture key metrics and allow the Council to:

- Better manage waiting times at HWRC sites. An ANPR system will allow vehicle numbers to be tracked, building up an accurate, and real time picture of busy and quieter periods at each individual site. Residents will then have the option to avoid busy periods at their nearest HWRC, or take their waste to a quieter site.
- Use real time data to assist with future service development and respond to customer demand and behaviour. Eg, if we know a particular site is quiet on a Tuesday afternoon, we could feasibly use that quiet time to for a commercial waste disposal offer.
- Use the data gathered to undertake targeted campaigns in specific neighbourhoods and communities to encourage residents to reuse and recycle. Develop an accurate picture of where site users are travelling from and what sites they are using, and identify communities where residents use HWRCs less frequently. This information will again allow us to undertake targeted work, based on the evaluation of data and our knowledge of which sites are being used most frequently and at what times.
- Amend procedures to be able to tighten or relax site access policies
- Automate a number of processes, such as applying online to register or book an appointment to dispose of asbestos.
- Use accurate data to determine any future changes to site opening times based on evidenced customer demand
- Highlight users and restrict access to residents from other authorities outside of the BDR boundary

- Peak periods of demand are likely to be smoothed out across the days and week, as HWRC users have access to information about busy periods at each site, with many arranging their visits for quieter times.

Where residents across all three boroughs live closer to a HWRC outside their own council's boundary, it is expected that this change will help reduce Doncaster's carbon footprint and help meet the council's commitment to tackle climate change by reducing the distance residents have to travel to dispose of their waste.

It is expected that this change will encourage residents to dispose of their own waste, as they will not have so far to travel to their closest HWRC, and deter the use of unlicensed waste disposal outfits who are more likely to fly tip rather than dispose of such waste in a legal and responsible manner.

It is also expected to reduce the disposal costs borne by the council for the disposal of waste brought to the HWRCs from outside both the DMBC boundary and the BDR boundary.

Introduction of Commercial Waste

Current operational procedure:

The councils HWRCs do not accept any type of Commercial waste.

Changes to operational procedure:

The introduction of the acceptance of commercial waste on some HWRCs is being considered; the specific details will be discussed at Soft Market Testing stage to enable the most effective and efficient use on site. Consideration will also be given to responses from the HWRC – Business Consultation Questionnaire that was running between 6 June 2022 and 31 July 2022.

It is expected that the acceptance of commercial waste onto certain HWRCs would provide sole traders and small businesses with a more cost-effective disposal outlet for waste that they produce. In the current economic climate such a move may help support sole traders and small business by reducing the cost to the business for waste disposal. It is hoped that providing such an outlet for commercial waste disposal will discourage fly tipping and help protect the HWRCs from misuse of the HWRCs by unlicensed waste carriers that adds an extra financial burden to the operation of the HWRCs.

Construction Type Waste

Current operational procedure:

The council recognises that residents do have a legitimate need to dispose of limited quantities of these types of materials from small, internal DIY projects they have carried out themselves. DMBC have differentiated between construction type waste that has been generated through small internal DIY projects and that from small external DIY projects and have set separate limits for the amount of waste which can be disposed of from each type of project as below:

- Up to 5 items of DIY waste **OR** 5 sacks (80ltr/25kg) of DIY waste **OR** a mixture of both to a total of 5 items from small internal DIY projects which you have carried out yourself.
- For external/garden projects this is limited to a maximum of 5 sacks (80ltr/25kg) bags of soil/rubble/paving slabs, 5 fence panels, 6 fence posts, 5 gavel boards and 5x2m lengths of decking.

There is currently no time-frame with regards to how often residents can visit the HWRCs with this type of waste, so they can visit as many times as they like.

Changes to operational procedure:

		<p>The DEFRA consultation proposals state that “a volume, which is no greater than 300L” and “not produced on a regular basis requiring HWRC visits more frequently than once a week” should be accepted at HWRCs. These proposals may be subject to change.</p> <p>Whilst the quantity proposed by DEFRA is 100 litres less than DMBC currently allow to be brought to site, DEFRA has included a time-frame into their proposals of visits to site once a week for the disposal of construction type waste.</p> <p>It is intended to introduce DEFRA's proposals across all HWRCs, as it is unlikely that we will be able to ignore their proposals.</p> <p>It is not expected that reducing the amount of construction type waste by 100 litres will impact on residents using the HWRCs to dispose of such waste as they will be able to dispose of that quantity once a week if needed.</p>
2	Service area responsible for completing this statement.	Waste & Recycling
3	Summary of the information considered across the protected groups. Service users/residents Doncaster Workforce	<p>Age It is not anticipated that any of these changes will adversely affect individuals based on their age.</p> <p>Disability It is not anticipated that any of these changes will adversely affect individuals based on their disability.</p> <p>Race It is not anticipated that any of these changes adversely affect individuals based on their race.</p>

		<p>Gender It is not anticipated that any of these changes will adversely affect individuals based on their gender.</p> <p>Sexual orientation It is not anticipated that any of these changes will adversely affect individuals based on their sexual orientation.</p> <p>Religion and Belief It is not anticipated that will any of these changes adversely affect individuals based on their religion and belief.</p> <p>Maternity and Pregnancy It is not anticipated that will any of these changes adversely affect individuals based on their maternity and pregnancy.</p> <p>Gender Reassignment It is not anticipated that any of these changes will adversely affect individuals based on their gender reassignment.</p> <p>Marriage and Civil partnership It is not anticipated that will any of these changes adversely affect individuals based on their marriage and civil partnership.</p>
4	<p>Summary of the consultation/engagement activities</p>	<p>BDR are currently running two consultations which are open for all residents to complete between 6 June 2022 and 31 July 2022:</p> <ul style="list-style-type: none"> • HWRC – Residents Consultation and • HWRC – Business Consultation <p>Consultations have also been carried out with:</p>

		<ul style="list-style-type: none"> • The Mayor • The Portfolio Holder for Waste • Directors and Cabinet Members
5	<p>Real Consideration:</p> <p>Summary of what the evidence shows and how has it been used</p>	<p>Vehicle Access Permits</p> <p>Allowing vans over 6ft/1.83m in height, with a vehicle access permit, access to certain HWRCs other than Armthorpe HWRC will increase the convenience for residents who use such vehicles.</p> <p>In the current economic climate, travelling to one specific site can be an expensive undertaking when there are HWRCs closer to the residents' home. Therefore, residents would prefer to be able to use a HWRC without having to travel, in some cases, from the outskirts of the borough to dispose of their waste.</p> <p>Being able to nominate a HWRC closer to home is likely to increase the number of residents, who would usually use the discretionary One-off Tip system, applying for a vehicle access permit.</p> <p>Discretionary pre-booked One-off Tips</p> <p>From 2 January 2022 to 18 June 2022, 281 requests for discretionary One-off tips were authorised, equating to approximately 12 per week. This would suggest that if discretionary One-off Tips were allowed at sites other than Armthorpe, there would no impact significant on normal site operations.</p> <p>The closure of Armthorpe HWRC from 1 November 2021 to 9 November 2021 inclusive for repair work saw 15 discretionary One-off Tip requests granted to access the residents' closest site. No negative feedback was received from either the residents or site staff.</p>

	<p>Allowing residents to pre-book discretionary One-off Tips to take place at other HWRCs instead of the current restriction of Armthorpe HWRC only, will increase the convenience for residents.</p> <p>This would especially be the case for relatives from outside the Borough using the discretionary One-off Tip system clearing a property of a deceased family member or where a family member has moved into permanent residential care who may have limited knowledge of Doncaster and where Armthorpe HWRC is located.</p> <p>Introduction of an Residents On-line Registration Scheme</p> <p>BMBC already have a Residents Permit that has successfully deterred cross-boundary use of their HWRCs and, as a result, reduced the costs incurred with the haulage and disposal of waste from their HWRCs.</p> <p>The introduction by BMBC of Residents Permits led to queries and complaints from DMBC residents living closer to a BMBC HWRCs as to why they could no longer use HWRCs that they had used for many years.</p> <p>A month long exercise, from 1 April 2022 to 30 April 2022, was carried out at Conisbrough HWRC where staff were tasked with asking all site users for their postcode. The results showed that residents from outside the Borough were using the site to dispose of waste. Based on this, it would be reasonable to assume that this practise is happening on all six HWRCs with DMBC paying for the haulage and disposal of such waste, adding additional pressure to the council's budget.</p> <p>Introduction of Commercial Waste</p> <p>Not all correctly licenced waste disposal outlets are open seven day a week, making it difficult for smaller businesses and sole traders to correctly dispose of waste generated as part of their business activities. Many sole traders are also unlikely to generate enough</p>
--	--

waste, or type of waste, to be collected through the councils, or other providers, existing commercial waste service.

There have been several instances where a vehicle access permit has been revoked due to commercial waste being disposed of. This has happened where investigation into the permit holder has revealed that they are either small business owners or sole traders and are disposing of waste that relates to their business: for example plumbers disposing of several baths over a short period.

Allowing small businesses and, especially sole traders, access to the HWRCs to dispose of commercial waste will help prevent residents breaching waste regulations when they transport waste to the HWRCs that they have not generated themselves.

The provision of a low-cost commercial waste disposal facility at selected HWRCs will help small businesses and sole traders financially. It will also provide somewhere for those operating smaller waste removal services to dispose of waste rather than fly tipping said waste due to the high cost of disposal at privately-run correctly licenced waste disposal facilities.

Construction Type Waste

The restrictions introduced by DMBC in 2018 have done little to reduce the quantity of this type of waste, as there was no time frame imposed concerning how often a resident could bring this type of waste to site. This has been problematic for site staff as they have had no clear guidance on how often a resident can bring this type of waste to site and caused confusion for residents.

DEFRA's proposed criteria intends to allow householders to deposit DIY waste for free (as it should be treated as household waste) but for local authorities to still be able to charge for other construction waste, which is classified as industrial waste. For example, if a householder brought more than 300L of construction waste to the HWRC or brought 300L of construction waste to the HWRC on a regular basis, it would not be DIY waste and

		<p>could be charged for. Equally, if a tradesperson brought any amount of construction waste, it would still be industrial waste.</p>
<p>6</p>	<p>Decision Making</p>	<ul style="list-style-type: none"> • <i>Attaching a due regard statement as an annex to a Cabinet report is not acceptable unless it is also supported with a short summary within the body of the report or is specifically referred to and deliberated within the agenda.</i> • <i>Outline how the decision maker has been made aware of due regard considerations.</i>
<p>7</p>	<p>Monitoring and Review</p>	<p>Vehicle Access</p> <p><i>Allow vans over 6ft/1.83m in height, with a vehicle access permit, access to certain HWRCs other than Armthorpe HWRC.</i></p> <p>Information on the vehicle, including its height, is initially provided at the application stage. The information is then transferred on to Mayrise when the permit is issued. This will allow the council to monitor changes to the number of vehicle access permits issued for sites other than Armthorpe.</p> <p>Periodic use of traffic counters will allow the council to compare site usage data against data already held in order to monitor whether or not the change in operational procedure has been effective or not.</p> <p>Reports back from the successful contractor on any traffic issues, both on site and on the highway, will also enable the council to review the change in operational procedure.</p> <p><i>Introduction of a new On-line Registration Scheme to allow 12 visits within 12 months.</i></p> <p>It is proposed that ANPR be used to monitor the use of the 12 visits in 12 months vehicle access permit.</p>

If the information gathered from ANPR reveals that the majority of vehicle access permit holders are failing to make use of the 12 visits in 12 months, then this will allow DMBC to further review the scheme.

Discretionary pre-booked One-off Tips

All discretionary pre-booked One-off Tips are authorised by a member of W&R who record all requests on to a spreadsheet. This allows W&R to monitor how many discretionary One-off Tips have been authorised throughout the year. This spreadsheet is easily modified to record the HWRC where the visit has been authorised.

It is likely that this change in operational procedures will only require reviewing if there is a sudden and sustained increase in requests for this service.

Introduction of an On-line Registration Scheme

This new system will enable residents from Doncaster to also use HWRC facilities in either Barnsley or Rotherham, improving accessibility, convenience and widening customer's waste disposal options and potentially reduce travelling time for residents.

Having access to real time data will allow the councils to continually monitor & improve service provision (as listed above).

The impact of implementing an On-line Registration Scheme will need to run for at least twelve months before an effective review can be undertaken to assess the impact the scheme has had on haulage and disposal cost, uptake of the scheme and to address any complaints that may come from residents.

Introduction of Commercial Waste

		<p>Closer liaison with Street Scene on the number of fly tipping instances reported to them will enable W&R to monitor the effectiveness of this operational change. It is expected that small businesses and sole traders wishing to take advantage of this new service, will need to pre-pay via the Customer Service Contact Centre. Information relating to the numbers using this service will also allow W&R to monitor the effectiveness of this operational change.</p> <p>If the numbers using the service are low, and / or there is no significant decrease in reported instances of fly tipping then the service will be reviewed.</p> <p>Construction Type Waste</p> <p>Information received from the contractor in respect of the tonnages of Construction Type Waste disposed of will enable W&R to monitor this operational change by comparing this data with historic data.</p> <p>It is proposed that ANPR be used to monitor the frequency of all vehicles accessing the HWRCs and that site staff speak to those residents who are exceeding the once a week limit on visits to dispose of Construction Type Waste.</p> <p>It is unlikely that BDR will be able to review and make changes to any operational change made relating to Construction Waste unless DEFRA change their proposed criteria or chose whether their criteria is to be for guidance only or will be included in changes to existing waste legislation.</p>
8	<p>Sign off and approval for publication</p>	<ul style="list-style-type: none"> • <i>By signing this statement off as complete you are confirming that ‘you’ have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity.</i> • <i>If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also</i>

		<p><i>published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.</i></p>
--	--	---

This page is intentionally left blank



Doncaster Council

Report

Date: 10.08.2022

To the Chair and Members of the
CABINET

ACCEPTANCE OF FUNDING FOR THE BENTLEY AND ROSSINGTON GP HUBS AND ASSOCIATED DEMOLITION OF BENTLEY LIBRARY

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Joe Blackham Councillor Nigel Ball	Bentley Ward Rossington Ward	Yes

EXECUTIVE SUMMARY

1. Doncaster MBC and Doncaster Clinical Commissioning Group (CCG) wish to ensure that the Council and NHS Primary Care Estate in the localities of Bentley and Rossington are fit to accommodate and deliver services needed by the town's existing and future population.

Bentley Project

The project seeks to develop a community hub in Bentley that incorporates Don Valley Healthcare and the Ransome practice into a new build scheme of 1196m² over two and a half floors.

The facility will be developed on the existing Bentley library site at a cost of circa £5.63m (including VAT) and will accommodate a combined list of 21,000 patients. This development will require the relocation of the library service and the demolition of the existing building

It is proposed that the project be delivered by NHS England to Doncaster MBC under section 2 of the NHS Act 2006. The Council will be the building owner and Landlord. Don Valley Healthcare & the Ransome Practice will each take a lease with DMBC.

Rossington Project

The Rossington Hub is at an earlier stage of project development, not much information is known at this stage. It has been included within this report to gain approval to allocate the initial funding to the Scheme

EXEMPT REPORT

2. N/A

RECOMMENDATIONS

3. To approve the Delegation of the decision to accept and enter into the Section 2 funding agreement with the NHS, for each site, to the Director of Economy and Environment and the Chief Finance Officer, in consultation with the relevant portfolio holder.
4. That Cabinet approve that Bentley Library service will be relocated into Bentley Pavilion, and that the existing building be demolished in order to accommodate the new Bentley GP hub build following a procurement exercise.
5. To add the Bentley and Rossington Hub schemes to the Economy and Environment capital programme.
6. Approve the allocation of £200k from the Integrated Care Board Transition and Transformation earmarked reserve to fund Bentley Hub development costs including the cost of demolition, VAT advice and other costs.
7. Approve the allocation of £3m from the Adult Social Care Contract earmarked reserve to contribute towards the funding for the Rossington Hub scheme.
8. Note that for VAT purposes the Council will submit an option to Tax for both Hub sites.
9. Note that the Council will become owner of the Hub Buildings and will be responsible for all future on-going building management function and costs. These costs will be passed onto the tenants of the new buildings.
10. To approve the delegation of the decision to enter into leases with the GP surgeries in respect of the new Hub premises upon built completion, to the Director of Economy and Environment and the Chief Finance Officer in consultation with the relevant portfolio holder.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

11. The development of new GP hubs in Bentley and Rossington will provide high-quality accessible health estate for a rapidly growing population, that;
 - Provide fit for purpose facilities for the future delivery of Primary Care services

- Maximise the Doncaster pound and value for money through shared estate and facilities
- Provide improved access to and choice of services
- Support the recruitment and retention of workforce
- Support innovative and collaborative care delivery

BACKGROUND

Bentley Project

12. In late 2019/early 2020, approximately £57m was awarded to the Sheffield City Region for health sector development. Whilst much of this was targeted across the larger towns and cities, three priority areas were identified across Doncaster within our smaller towns and villages for potential investment, with a view to achieving some quick wins. The top priority area was identified as Bentley, with the focus being to deliver a health centre/hub building.
13. Suitable sites in Bentley were limited and options were quickly reduced down to one realistically viable opportunity, this being the redevelopment of the site of the existing Bentley community library premises, located off Chapel Street.
14. Bentley library is currently open 12 hours per week and is well used, but in need of major refurbishment. The existing building would require significant capital expenditure if the Council were to maintain it in its current format.
15. Bentley Pavilion has now been agreed as the location for the library service to be operated from. Initial consultation with the occupiers of the Pavilion (Manna CIC) provoked an enthusiastic response, with the prospect of a community library being viewed as a positive opportunity to build upon the existing offer from the building.
16. Bentley library is the central hub of the Council's IT connections in the area, supporting not only the library but also My Place and local CCTV. This service will need to be relocated to ensure there is no interruption to connected sites. Bentley MyPlace is identified as having a long term future for service delivery purposes and has therefore been put forward as the preferred alternative location for the IT hub. A TGB Report prepared on this basis was considered and approved on 18th July
17. An outline proposal has been drawn up to demolish and redevelop the existing community library site, and to integrate some adjoining Council owned plots of land into the scheme to ensure sufficient capacity whilst at the same time ensuring that the building mass and design are in keeping with planning requirements for the local area.
18. The proposed hub will incorporate Don Valley Healthcare and the Ransome practice into a new build scheme of 1196m² over two and a half floors. Bentley community library will be relocated.
19. The cost of the proposed new GP hub development is circa £5.63m (including VAT). This figure does not include costs associated with the relocation of the community library service. When constructed, the premises will accommodate a combined list of 21,000 patients, complemented by a digital offering and a moderate amount of bookable space for community activities.

20. It is proposed that the GP hub project be delivered by NHS England to Doncaster MBC under section 2 of the NHS Act 2006. The Council will be the owner and Landlord of the newly constructed asset. Don Valley Healthcare and the Ransome Practice will each take a lease with the Council.

Rossington Project

21. The Rossington Hub is at an earlier stage of project development, not much information is known at this stage. It has been included within this report to gain approval to allocate the initial funding to the Scheme of £3m, it is expected that the balance of funding required will be met from section 2 funding via NHS which is subject to approval. The Rossington Hub is expected to mirror the Bentley scheme in the main and may involve the Council having to purchase a construction site. The site purchase would be subject to a separate decision.

OPTIONS CONSIDERED

Bentley Project

22. Option 1 – Business as usual (not recommended)

Scope	To continue with current GP services, secondary and community provision operating from separate current locations. Existing building owners would retain responsibility for maintaining facilities. This option would realise a material increase in expenditure on backlog maintenance with existing funding streams.
Building solution	As existing
Location for new build	N/A
Owner/Landlord of new building	As existing
Funding	Existing funding streams

23. Option 2 – Integration of Services by a 3rd Party Developer – Standard lease term (25 years) (not recommended)

Scope	Integration of primary, PCN, community, acute, and third sector services, complemented by digital offering and moderate amount of bookable space for community activities under one roof
Building solution	New build
Location for new build	Community library site
Owner/Landlord of new building	3 rd party developer. Standard lease term (25 years)
Funding	Private Capital

24. **Option 3 - Integration of Services by a 3rd Party Developer – Extended lease term (not recommended)**

Scope	Integration of primary, PCN, community, acute, and third sector services, complemented by digital offering and moderate amount of bookable space for community activities under one roof
Building solution	New build
Location for new build	Community library site
Owner/Landlord of new building	3 rd party developer. Extended lease term (35 years)
Funding	Private Capital

25. **Option 4 – Integration of Services through a Public Sector partnership arrangement (Recommended option)**

Scope	Integration of primary, PCN, community, acute, and third sector services, complemented by digital offering and moderate amount of bookable space for community activities under one roof
Building solution	New build
Location for new build	Community library site
Owner/Landlord of new building	Doncaster MBC. Standard lease term (25 years)
Funding	NHS Capital

Rossington Project

26. **Option 1 - allocate the initial funding to the Scheme (Recommended option)**

The initial funding intended to be allocated to the Scheme is £3m. It is expected that the balance of funding required will be met from section 2 funding via NHS which is subject to approval

27. **Option 2 – do not allocate the initial funding to the Scheme (not recommended)**

A funding allocation is required to demonstrate the Councils commitment to the delivery of a new GP hub in the locality of Rossington

REASONS FOR RECOMMENDED OPTION

Bentley Project

28. The recommended option is considered to fully achieve the following desired project outcomes:-

- Creates a fit for purpose future ready premises solution
- Improves the range and quality of services, clinical and non-clinical
- Improves access to services
- Provides a catalyst for the economic, social and environmental regeneration of the local area
- Meets required standards
- Provides a strategic fit – national and local
- Provides value for money
- Provides an affordable solution
- Achievable from an organisational perspective

Rossington Project

29. The recommended option will support the enablement of a GP hub in the locality of Rossington. Assuming the GP hub in Rossington comes to fruition, it will deliver the same project outcomes as described above for Bentley.

IMPACT ON THE COUNCIL’S KEY OUTCOMES

30.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	
	<p>Doncaster Living: Our vision is for Doncaster’s people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	

	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	
	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>The development of the proposed GP hubs will improve the range and quality of services, clinical and non-clinical</p> <p>The co-location of 2x practices on a single site coupled with bookable space for community activities will improve access to services</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>The GP hubs will provide a catalyst for the economic, social and environmental regeneration of the local areas (Bentley and Rossington)</p>

RISKS AND ASSUMPTIONS

31. Risks

- The availability of the appropriate people and skills to deliver the project.
- Availability of materials and cost increases owing to current economic factors

The above risks will be managed through usual project management

procedures.

Assumptions

- This project sits within the South Yorkshire and Bassetlaw Integrated Care system's Primary Care Capital Programme Business Case, which received formal approval in March 2022. Continued availability of support from South Yorkshire & Bassetlaw Integrated Care System (SYB ICS) Primary Care Capital Programme is assumed

LEGAL IMPLICATIONS [Officer Initials...NJD Date...21.07.2022]

32. Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their function
33. The Council will be required to enter into funding agreement with NHS England. It is likely that the funding agreements will contain details of project outputs, project outcomes and milestones that must be achieved and the terms and conditions of the funding agreement must be adhered to avoid the risk of clawback. Legal advice should be sought once the funding agreement has been received.
34. The procurement of any goods, services and/or works should be carried out in compliance with the Public Contracts Regulations 2015 and the Councils contract procedure rules.
35. The library volunteer group occupies the current Bentley library building under a lease held with the Council. This lease will need to be surrendered by agreement between the parties. The library volunteer group also operates the library provision under a Service Level Agreement with the Council which will need to be amended to reflect the new location.
36. In relation to the proposed changes to Bentley Library, the Council will need to ensure it complies with the Equality Act 2010 which require the decision maker to comply with the public sector equality duty to consider the need to promote equality for persons with “protected characteristics” age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and have due regard to:
 - i) eliminate discrimination, harassment, and victimisation;
 - ii) advance equality of opportunity;
 - iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.
37. Upon completion of the new Hub the Council will be responsible for maintenance and will be the owner in the same way as the Council is the freeholder for the existing building. The Councils use of the building may be governed by any restrictions in the NHS England funding agreement.
38. The new building will then be leased for use and occupation by the two GP organisations. It is expected the tenants will pay a peppercorn rent for the 25

years but will contribute towards maintenance of the building via a service charge. These leases will constitute a disposal of General Fund land.

39. It understood the new building will be leased at a peppercorn rent which is less than the best consideration reasonably obtained (i.e. the disposal will be at an undervalue) for the first 25 years. Under s.123 of the Local Government Act 1972 the Secretary of State's consent is required for the disposal of land for less than the best consideration reasonably obtainable. Under Circular 06/03 the Secretary of State has given consent to the disposal of non-housing/HRA land by local authorities for less than the best consideration reasonably obtainable provided that the difference between the consideration being received and full open market value does not exceed £2 Million and the Council is satisfied that the purpose of the disposal will:
 - a. contribute to the promotion or improvement of the economic,
 - b. environmental or social well-being of the area.
40. The Council's Financial Procedure Rules state that where there is a disposal of land for less than best consideration and that disposal exceeds £250,000 then the approval of Cabinet is required.
41. Any leaseholder occupation must be consistent with the provisions of any funding agreement related to the new Hub building.
42. It is proposed that the library service occupying the existing building will relocate into Bentley Pavilion. The Pavilion is currently Council owned and occupied although occupation is shared with Manna CIC as set out in the body of the report. The Council intend to continue to maintain the Pavilion due to the high costs of maintenance. The Pavilion is used by Manna CIC a local community group and a bowling club and will be used by the library group once relocated. As such it is proposed that all 3 parties enter into a licence to use the Pavilion which determines the specific areas and times they are permitted to use subject to payment of a licence fee to be determined per group. This will leave the Council in control of and responsible for the Pavilion but create a contractual agreement for the relevant parties to use the building. The licences do not amount to a freehold or leasehold disposal and are contractual in nature only.
43. It is proposed that the CCTV service currently using the existing library building will relocate into the MyPlace building in Bentley. The MyPlace building is currently Council owned and occupied. It will be used by the CCTV service once relocated. This will leave the Council in control of and responsible for the MyPlace but it will be partly used by the CCTV service area.
44. Property implications for the Rossington Hub will need to be obtained once a site has been identified.
45. Further legal advice will be given as these projects progress.

FINANCIAL IMPLICATIONS [Officer Initials JC Date 21/07/22]

46. The Bentley Hub build will be funded from Section 2 NHS funding. The draft S2 agreement is clear that the grant issued is inclusive of VAT, meaning if the funding is deemed inside the scope of VAT the amount of funding available to deliver the scheme would be reduced. The Council sought external advise and

is satisfied that the Section 2 funding can be treated as grant funding and is outside the scope of VAT, on the basis that the Integrated Care Board/NHSE will not take up any occupation of the building.

47. The draft section 2 agreement for Bentley says any over spend will be funded by the Council. Further clarification will be sought and agreed with the portfolio holder on this clause prior to accepting and entering into the final agreement. The current Council position is that any overspends on either scheme should not fall to the Council.
48. The report seeks to delegate the decision to accept and enter into the section 2 NHS funding agreements to the Director of E&E and Chief Finance Officer in consultation with the Mayor and the relevant portfolio holder. The future ODR will need to ensure FPRs relating to external funding have been considered and highlight key elements from the final section 2 agreements.
49. The Bentley Hub will be built on the site of the current Bentley Library. The Library will be demolished and relocated to the Bentley Pavilion building. Once the existing Bentley Library is demolished the £24k revenue budget allocated to the site will not be required, this budget could be used to fund the running cost pressures at Bentley Pavilion (Bentley Pavilion currently has no budgets for running costs). Any surplus budget should be offered as a corporate saving; or any further additional budget required being highlighted as part of the 23/24 budget setting process.
50. Bentley Library is the location of an ICT server which will need relocating prior to the building being demolished. This is subject to a now approved TGB report for the server to be moved to Bentley MyPlace. The existing ICT room at MyPlace is large enough to accommodate another server without impacting on the rest of the building. The server relocation costs are being considered separately as part of the TGB report/process.
51. The Library demolition is expected to cost approximately £150k and will be funded from the £200k allocation from the Integrated Care Board Transition and Transformation earmarked reserve, any unused funding from the allocation will be used to fund other costs associated with the Bentley Scheme e.g. VAT advice. The 21/22 Finance and Performance Quarter 4 report approved that the use of this EMR could be delegated to the Director of Public Health. The demolition would remove any future requirement for capital expenditure which may be needed if the building remains a Library e.g. refurbishment costs.
52. The value of the cleared Bentley Library site and other Council owned assets being included in the overall development site, are not considered a cost to the scheme. If the sites had to be purchased it would have increased the cost of the development. The Council should consider the value of the cleared site being contributed to the scheme and note the new Hub assets will be leased to the GP surgeries for 25 years, tying up these assets for the foreseeable future.
53. The Rossington Hub will be part funded by the £3m allocation from the Adult Social Care Contract earmarked reserve. The remainder of the scheme costs are expected to be funded from a further Section 2 NHS funding agreement. It is anticipated that enough section 2 money can be secured to fund the remainder of the scheme, however we have not yet had this confirmed. Should there be a shortfall in funding this would need to be considered as part of the

Councils 23/24 capital budget setting process. It is currently expected that ICG/NHS would fund any shortfall on the Rossington scheme with additional Council funding being considered as a last option. If the Council were to fund any shortfall it is expected that this funding would be repaid back to the Council by the ICB/NHS.

54. Both Hub buildings will be owned by DMBC, meaning the Council will be responsible for all associated costs. It is expected that the running costs and lifecycle costs will be recovered from the tenants as part of the lease agreement. The Council will 'opt to tax' both sites meaning the GP surgeries will incur VAT on costs within the lease. VAT advice is being requested to see if the VAT implication for the GP surgeries can be minimised.
55. The draft section 2 agreement says DMBC 'should not opt to tax' this has been raised with ICB/NHS colleagues who have advised the agreement can be changed to reflect the Councils decision to 'opt to tax' and will be amended in the final agreement. The Council must agree what date the decision the 'opt to tax' will take effect from, it can take effect from the date of the decision, or a later specified date as long as HMRC are notified in writing within 30 days of the decision or the specified start date. DMBC have been advised to check whether the option to tax dis-application rules would apply. DMBC feel that it is unlikely they would apply on the assumption that NHS/ICB and the GPs practice wouldn't be considered connected persons for the purposes of the tax legislation, and on the assumption that the GPs practice would do no more than make payments due under the lease after it has taken occupation of the completed property.
56. It is expected that the VAT implications for both hub schemes in relation to the section 2 funding would be the same, on the assumption the two schemes will be similar. This cannot be confirmed until the final agreements have been reviewed.
57. The building lifecycle costs are in the process of being agreed between the Council and Integrated Care Board (ICB). The Council has requested that if lifecycle costs were to differ to the final values agreed that the Council could seek to recover future additional costs.
58. The Rossington scheme will require a site to be purchased prior to construction, the purchase of the Land will be subject to a further ODR. One of the conditions of using NHS section 2 funding is that it can only be used to fund assets on local Authority owned land.
59. The schemes should be added to the Economy and Environment capital programme to indicate the funding allocated. No spend should be committed to the construction of the New builds until the ICB have confirmed they have Full business case approval. FBC for Bentley and Rossington are expected in December 2022, with both buildings currently being programmed for completion by December 2023. The demolition of the Bentley Library will be undertaken prior to FBC approval.
60. Where assets are amalgamated or change use/asset classification they should be included within the Council's annual asset revaluation programme to ensure any changes are reflected within the Councils asset register.

61. Financial procedure rule C.20 in respect of disposals of land and property should be also be considered in relation to any disposal. FPR C20 States:
- processes followed should be robust and transparent and in accordance with current legislation;
 - in all cases of planned disposal of land or property, the property officer, the assistant director of legal and democratic services and the CFO must be consulted.
 - in line with the capital key decision threshold, where the estimated disposal value is less than £1,000,000 the property officer, having taken financial and legal advice, may arrange for the disposal of land or property. Where the estimated disposal value of individual property assets is equal to or greater than £1,000,000, a key decision is required; Doncaster Council financial procedure rules www.doncaster.gov.uk page 18
 - in respect of disposal at less than best consideration where the estimated disposal value would otherwise have been at less than £250,000 (revenue key decision limit), the property officer may arrange for the disposal of land or property;
 - in respect of disposal at less than the best consideration where the estimated disposal value would otherwise have been at or above £250,000 (revenue key decision limit), the property officer shall prepare a report to cabinet, requesting approval to proceed with the disposal in accordance with the relevant legislation (circular 06/03: local government act 1972 general disposal consent (England) 2003;
 - all arrangements for the acquisition and disposal of land and buildings shall be in accordance with council asset management policy and be conducted by the property officer, including all negotiations and the preparation and certification of valuation certificates.

HUMAN RESOURCES IMPLICATIONS [Officer Initials AA Date 11th July 2022]

62. There are no direct HR Implications in relation to this decision to accept the funding for the Bentley and Rossington GP hubs and associated demolition of Bentley Library.

TECHNOLOGY IMPLICATIONS [Officer Initials...PW..... Date...12/07/22]

63. The existing Bentley Library site serves as a Doncaster Council Network hub with a 100Mbs SD-WAN managed service provided by Virgin Media into our communications room at that location. Bentley MyPlace shares this connection, via Doncaster Council private fibre (DPON) connecting the two sites. A further wireless link from MyPlace to Bentley Pavilion enables CCTV images to be fed back to the Civic Office. There is also legacy DPON from the Bentley Library location to Bentley High Street School, Bentley Training Centre & the former Cooke Street Social Services office, which are no longer used.
64. It is understood that enabling works for the demolition of the current Bentley

Library site have already commenced and service disconnection is planned for w/c 29/08/22. As such, Digital & ICT are urgently progressing alternative options to ensure there is no interruption to services at MyPlace and other connected sites and to prevent delays with the Bentley GP Hub project, where possible.

65. Indicative costs have been obtained for a new 80/20 SOGEA Broadband connection for MyPlace as follows, with supplier lead times of 20 working days:
 - Install £50
 - Rental £33 pm (min term 24 months)
 - New router £800
66. The exact technology requirements, implications and costs associated with moving the existing library service to Bentley Pavilion are not known at this stage and will require urgent refinement by Digital & ICT now that the proposed site has been confirmed. The existing wireless link from MyPlace to Bentley Pavilion is unlikely to meet the requirements for the relocated library service and an additional broadband connection into Bentley Pavilion may be required. Budgets will need to be provided for all of the technology deliverables relating to the library relocation.
67. Further consultation will be needed with Digital & ICT in relation to the Rossington project at the appropriate time to enable any technology implications to be confirmed.

HEALTH IMPLICATIONS [Officer Initials RS.. Date ...13/07/2022.....]

68. Primary care is the bedrock of health care in the UK. Ensuring facilities are fit for purpose, accessible to all and contribute to net zero are key considerations for health planners.
69. Decision makers will want to ensure that any future build takes into account future demands for primary health, likely future care models including increased use of digital and that activity complies with relevant legislation.
70. Any new build will still need to be able to accommodate community activities to maintain the good links with the community.
71. Decision makers will want to be able to evaluate how well the project delivers against any of the health outcomes in the project brief.
72. Decision makes will also want to ensure that the relocation of the library does not increase inequalities.

EQUALITY IMPLICATIONS [Officer Initials GF Date 07.07.2022]

73. There are no equality implications associated with this decision

CONSULTATION

74. Consultation has been undertaken with key stakeholders including:-
 - Portfolio Holders

- Ward Members,
- Bentley community library volunteers
- GP Practice Managers and staff
- GP Patients

BACKGROUND PAPERS

75. None

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

DCCG – Doncaster Clinical Commissioning Group

PCN – Primary Care Network

SYB ICS – South Yorkshire & Bassetlaw Integrated Care System

REPORT AUTHOR & CONTRIBUTORS

Gillian Fairbrother, Property Manager

01302 862561

gillian.fairbrother@doncaster.gov.uk

Name & Title of Lead Officer

Dan Swaine

Director of Economy & Environment