
**Business Case for withdrawing the Commons Warden
Service**

March 2013

**Report By: Director of Housing & Community Services
Lead Officer: Steve Bird, Assistant Director (Communities &
Street Scene)**

A. Scope and Objectives of the review

Drivers for the Review of the Service:

The local government finance settlement the City Of Lincoln Council received in December 2012 has left the Council needing to find £1million of ongoing savings in 2013/14, rising to an estimated £3million per annum by 2016/17.

Whilst the Council is committed to Lean systems reviews in order to achieve cost efficiencies and reductions of the scale required, we now find ourselves at the point where we can no longer make the size of savings demanded of us without impacting on the services we provide.

Towards the end of 2012 the Leader of the Council, along with Executive members and the Corporate Management Team conducted a detailed review of our spending.

A driving principle of this review was to accept that the organisation must do fewer things well and therefore, although the Strategic Plan was only approved last year, careful consideration was given to further refocusing the Council's priorities. A number of considerations has led to these now being defined as:

- ❖ **Growing the local economy**
- ❖ **Protecting the city's poorest people from the effects of the recession**
- ❖ **Increasing the supply of affordable housing**

Once this had taken place the Executive and Corporate Management Team undertook a detailed review of the Council's current budgets, including a review of all savings achieved since 2008. Budgets were considered from a number of perspectives including the way in which they contributed to these priorities.

In addition to ensuring that the Council balances its budget it is committed to achieving a position of financial sustainability from which the Council has a steady base and is in the best position to grow moving forward. A revised strategy entitled "Towards Financial Sustainability" (TFS) has been developed to deliver this.

As part of this fundamental review under the Council's Towards Financial Sustainability Programme a number of potential savings have been identified for 2013/14. These savings include, amongst others, a proposal to withdraw the Commons Warden Service during 2013/14.

B. Summary of the existing service

Current Service Delivery:

The city's Commons Warden Service was introduced in February 2007 by the appointment of a single Commons Warden whose role and focus is to take prime responsibility for co-ordination of all issues relating to the day to day management and maintenance of the commons.

The service employs one full time Commons Officer on a 37 hour per week contract but working to a rota spread over seven days of the week. The post is dedicated to the care of the Commons, and patrols all three of Lincoln's commons addressing issues of both maintenance and management. Similar to the Urban Ranger service, patrols are undertaken using a motorcycle suitable for off-road use.

In order to provide a physical presence when the commons are most used the Commons Warden operates to a shift pattern that includes working outside normal hours, and although dedicated solely to patrol of the commons the Commons Warden's working rota is coordinated with that of the Urban Ranger Service to try to ensure that cover is available for the Commons Wardens shift patterns, holidays & any long term sickness absences.

The Commons Warden works out of a base at Hartsholme Country Park so as to enable the Warden to draw on nature conservation expertise within that Team, but he/she also has a work station at the Grandstand Community Centre on the West Common that is used frequently to provide an on-site presence and improve accessibility to commons users and visitors.

Alongside regular high visibility patrols of the Commons the main duties and responsibilities of the post include (in no particular order):

- Issue of fixed penalty notices for dog fouling and littering
- Addressing, deterring and reporting anti-social behaviour and illegal use of the commons
- Liaison with the Community Services staff and grounds maintenance contractor to ensure the commons are well maintained
- Acting in an ambassadorial role, meeting and talking to users and visitors to the Commons to promote responsible use of the Commons and address any concerns they may have
- Promoting the commons with those who don't use the commons
- Development and delivery of the Commons Management Plan and associated action plan.
- Attending meetings with relevant environmental groups and the Commons Advisory Panel

The Commons Warden is equipped with a high visibility uniform and operates mobile patrols of the Council's commons by motorcycle and on foot in an extended shift system covering evenings and weekends which sees the Warden work some evenings and weekends and bank holidays when

Commons use is at a peak. The Commons Warden works under the direction of the Team Leader (Open Spaces) and works in coordination with the Urban Ranger Service, the Council's Anti-social Behaviour Team and the Police.

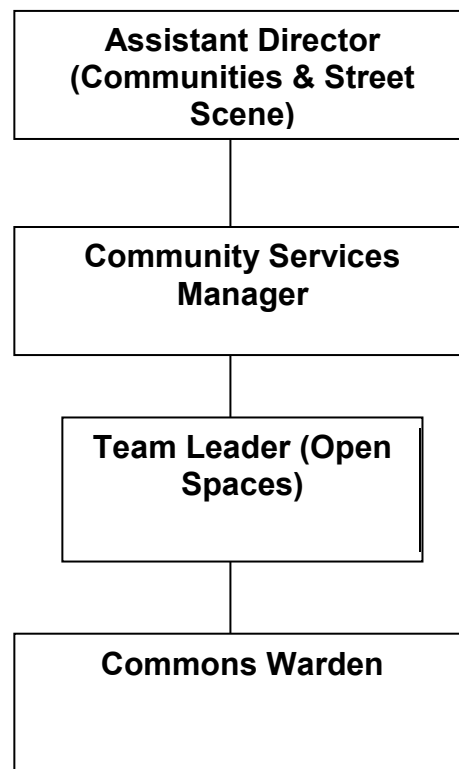
Staffing:

The Commons Warden Service currently consist of the following staff -

- 1 Commons Warden (Full time post – salary scale 6)

Overall line management of the Commons Warden is undertaken by the Team Leader (Open Spaces) who also has responsibility for a range of other services including day to day management of the council's grounds maintenance contracts

Current Structure – Urban Ranger Service



Description of key roles from Job Description:

The key duties and responsibilities of the Commons Warden are to:

1. To carry out patrols of common land (50%)
2. To offer advice and assistance to the public (5%)
3. To co-ordinate/assist with the apprehension of those in breach of the Commons Act or Council policies, and present documentation and evidence sufficient to secure prosecutions (15%)
4. To draft a management plan and information for the commons, and to submit applications for funding (10%)
5. To collect and collate information and general data, including historic information and information on biodiversity, in relation to Lincoln's commons (10%)
6. To participate in the organisation and presentation of talks to schools and other interested groups on the role of the service in connection with the promotion of open spaces (5%)
7. To be responsible for the security of all equipment and carry out regular checks and basic maintenance (5%)
8. To ensure that site specific health & safety tasks are carried out as directed by the designated Responsible Officer

The proportion of time allocated to each element of the job is indicative only and may vary from time to time

c. Proposal Summary

Outline proposal

The proposal is for the full withdrawal of the Commons Warden Service and deletion of the post of Commons Warden from the staffing establishment in order to contribute to the £3m budget savings identified in the Council's Medium Term Financial Strategy.

Full year revenue savings will be of the order of £36,650 in 2014/15. Actual savings in 2013/14 will be of the order of £7,100, based on 9 months of savings and potential redundancy costs if staff cannot be redeployed. Withdrawal of the service will provide net revenue savings of £157,670 to the General Fund over the life of the Medium Term Financial Strategy as illustrated in Section D.

As the staffing resources available to the Commons Warden Service are limited to 1 post the option of providing a lower level of service based on lower staffing levels are extremely limited. The option of replacing the current full time post with a part time post could be considered however this will not

- a) Contribute significantly towards the savings targets identified in the Council's Medium Term Financial Strategy / Towards Financial Sustainability Programme;
- b) Deliver against the principle of doing fewer things well – a part time post will inevitably lead to a decline in outputs.
- c) Will not fundamentally contribute to the revised Council priorities.
- d) Will not provide sufficient staff hours to operate a rota of patrols and other activities covering weekdays, weekends and evenings as now and provide sufficient resilience of service allowing for holiday entitlements and any sickness absence.

The scope and brief of this review has been to examine a proposal to close and withdraw the service and therefore these options have not been considered in any more detail at this stage.

D. Detailed appraisal of option

The withdrawal of the Commons Warden Service and the deletion of the 1 post of Commons Warden will involve the cessation of the service and related activities in section B above or (where essential), the delivery of elements of those activities in an alternative way. For example the Council will still have a duty to respond urgently to reports of vandalism and damage on the Commons which present an immediate health and safety risk to users and would need to make alternative arrangements via other staff or contractors to respond to such reports from the public but this would be a purely limited responsive service.

It is inevitable that the withdrawal of the service will lead to both a perceived and actual reduction in the provision of services to users of the Council's Commons.

The withdrawal of the Commons Warden Service will mean that the commons will no longer be routinely patrolled and may add to the public's fear of crime and a potential increase in anti-social behaviour and vandalism on the commons but it is difficult to assess the extent or cost of any such impact and this will need to be kept under review.

Any reports of criminal activity, anti-social behaviour or vandalism on the Commons will need to be referred on directly to the Police and/or to the Council's Anti-social Behaviour Team and be prioritised along with other reports of such activity. However given the existing workloads and competing demands on such services it is inevitable that service levels in terms of responses to reports of anti-social behaviour and breaches of commons byelaws will be adversely affected.

The Commons Management Plan sets out a number of actions, responsibility for which would fall to the Commons Warden post to implement. Deletion of the post will not necessarily mean that the Commons Management Plan cannot be delivered but the timescale over which it may be delivered will have to be extended.

Savings identified with the proposal:

A summary of the predicted savings against current budgets are as follows–

Year	2013/14	2014/15	2015/16	2016/17	2017/18
Net savings	£7,100*	£36,650	£37,300	£37,970	£38,650

* 2013/14 savings based on withdrawal of service from 1 July 2013, therefore delivering savings from start of qtr 2. Identified savings include potential redundancy costs

A more detailed breakdown of the financial data including staff redundancy costs is presented in the report in Part B of the agenda for the meeting.

E. Staffing Issues

Under this proposal, **one full time post** will be deleted from the organisational structure.

- Commons Warden (Salary Scale 6)

The post is currently filled on a permanent appointment and should the Council proceed with the proposal to withdraw the service the post holder would be at risk of redundancy unless he/she can be redeployed to suitable alternative employment within the Council.

If the service is closed then the post of Team Leader (Open Spaces) will at some point need the job description and person specification revising. However because the Commons Warden Service forms a relatively small part of the duties and responsibilities and extended range of services managed by that post it is not envisaged that the changes will substantially affect the salary grade of the post. The post of Team Leader has not therefore been formally included in the current consultation although the post holder is fully aware of the proposal.

The Council's Management of Change Policy is being applied in terms of consultation on this proposal and the affected member of staff has been notified of the proposal and consulted under the Policy including the right of representation by their trade union or other representative.

The post holder has not submitted any written comments in response to the proposed closure of the service.

The Unison trade union has submitted a general response to the package of measures and proposed budget savings identified in the Medium Term Financial Strategy and in regard to the Commons Warden and Urban Ranger Service commented generally as follows:

- “Unison acknowledges the need to save money due to government cutbacks, however the withdrawal of services should always be a last resort. Not only do withdrawal of services lower the public’s esteem of the Council, but also the dramatic changes to individual staff members affected by possible redundancy, affect, hugely, staff morale throughout the authority.”

On the specific proposal to withdraw the Commons Warden service Unison commented as follows:

- “the public perception is that the Council don’t care about anti-social behaviour and vandalism”

In the event that Council decide to proceed with the proposal to close the Commons Warden Service the current post holder will be issued with redundancy notices and unless suitable alternative employment can be found for the employee through the Redeployment Pool he/she would be entitled to redundancy payments calculated in accordance with the Council’s Redundancy Payments Scheme. Further details are set out in the report in Part B of the agenda for the meeting.

F. Stakeholder Responses

Following announcement of the proposed closure of the Commons Warden Service alongside the publication of the draft Medium Term Financial Strategy the Commons Advisory Panel was advised of the proposal and the Panel’s comments and or those of the constituent member & member organisations were invited.

Comments on the proposed closure of the Commons Warden Service have been received from:

- West end Residents Association
- Lincoln Commons Horse Association
- Lincolnshire Fieldpaths Association
- Lincolnshire Wildlife Trust

- Open Spaces Society
- Cross O Cliff Residents Association
- Long Leys Road Residents Association

These responses are set out in **Appendix E (i)**

For completeness the relevant extract from the minutes of the Commons Advisory Panel meeting held on 11 February 2013 at which the proposal for closure and withdrawal of the Commons Warden Service was discussed are attached at **Appendix E (ii)**

All of the responses express concern at the proposal to close and withdraw the Commons Warden Service. The Commons Advisory Panel resolved to request in the strongest terms that the Council should not go ahead with the proposal. However in the event that the Council do decide to proceed with the proposal the Commons Advisory Panel have agreed to convene a meeting to explore ways in which some form of volunteer group and “commons watch” may be established.

**G. Analysis of the Service Implications, Risk and Equality
Impact Assessment**

A summary of the main concerns raised in response to the proposals and identified risks and mitigations from withdrawing the service are set out below;

Comments/Impact/Risk	Mitigation
<p>Lincoln Commons Horse Association</p> <p>Consider that the Commons Warden and Urban Rangers have made Lincoln’s open spaces better places since their introduction.</p> <p>Reduced liaison for commons could lead to worsening condition of the</p>	<p>The Council has an established Community Services Team, which includes one Team Leader dedicated to open space management. This person was the key point of contact before the Commons Warden Service was established, and would remain</p>

<p>commons and poorer standards for associated horse welfare and public safety issues.</p> <p>Unclear how new management plan for commons will be progressed without dedicated resource.</p> <p>Unclear who will now tackle ASB issues and believe that the open spaces generally will be less safe.</p>	<p>so if the warden service is lost. In the absence of a dedicated staffing resource in the form of the Commons Warden and other work pressures may mean that responses to general complaints/enquiries may not be dealt with as promptly or detailed, the Council has a general duty to ensure that any immediate health and safety issues would continue to be addressed promptly.</p> <p>The action plan arising from the Commons Management Plan would be affected by the loss of staff resource, and whilst it would remain as an agreed and endorsed plan for the commons, delivery of the action points within it would need to be prioritised against other Community Services commitments.</p> <p>The enforcement of laws and byelaws is a matter that would have to be reported to, and prioritised by the Police.</p> <p>If not a Police matter, general Anti-social behaviour issues would be picked up and prioritised by the Council's Anti-Social Behaviour Team.</p>
<p>Long Leys Residents Association</p> <p>Consider that the Commons Warden and Urban Rangers have made Lincoln's open spaces better places since their introduction.</p> <p>Notes the legal duty of the Council to maintain the commons.</p> <p>Considers that the protection of the commons will be put at risk</p> <p>Unclear how new management plan for commons will be progressed</p>	<p>The Council accepts its responsibilities under the Lincoln City Council Act, and will ensure that it prioritises work and action at these sites accordingly.</p> <p>See comments above.</p> <p>See comments above.</p>

<p>without dedicated resource.</p> <p>Asks who will provide enforcement in open spaces?</p>	<p>The enforcement of laws and byelaws is a matter that would have to be reported to and be prioritised by the Police.</p>
<p>West End Residents Association</p> <p>Consider that the Commons Warden and Urban Rangers have made Lincoln's open spaces better places since their introduction.</p> <p>Removal of Commons Warden means no resource to progress the Commons Management Plan.</p> <p>Asks who will respond to crime and ASB in open spaces if these services stop?</p>	<p>See comments above.</p> <p>See comments above</p>
<p>Cross O'Cliff Residents Association</p> <p>Notes with regret the intention of the Council to close this service. Considers it to have been a valuable service in terms of liaison, management, and enforcement.</p> <p>Asks who will perform the commons warden's duties if the post is lost.</p>	<p>Please see comments in other sections of this appendix covering the various duties.</p> <p>There will be no dedicated post to perform the current duties of the Commons Warden.</p>
<p>Open Spaces Society</p> <p>Believes that without this service the commons will deteriorate, becoming less well managed, less safe, and increasingly littered.</p>	<p>The availability of a dedicated staffing resource in the form of the Commons Warden post since 2007 has been a valuable additional resource over and above the previous staffing establishment that has enabled the Council to improve the attention given to commons issues. Should this dedicated resource be lost, then inevitably the Council will not be able to respond in the way it has been able</p>

<p>Considers that closure of the service will not stop the costs, merely transfer them.</p>	<p>to, and tasks and issues will need to be prioritised according to the resources available. However, the Council acknowledges its responsibility to care for the Commons, and it will ensure that adequate resources are deployed to meet its legal responsibilities.</p> <p>Any costs that would transfer as a result of a closure of this service would need to be accommodated by the respective agencies within their own priorities. Any costs transferring within the Council would have to be accommodated within existing budgets.</p>
<p>Lincolnshire Wildlife Trust</p> <p>Notes the recent progress to develop a Commons Management Plan, and that its implementation would permit the Council to submit positively to government on the indicator for Accessible Natural Greenspace 'Positive conservation management 160.00'</p> <p>Notes the potential for volunteers to assist with conservation management/maintenance, but recognises that this requires staff resources to organise and operate.</p>	<p>The potential to impact on this indicator is noted.</p> <p>Increasing the input from volunteers could be explored further but experience and work with such (for example in Hartsholme Park) concurs with the view expressed that this is a specific area of work and requires staff resource to plan and control volunteers to ensure that work is undertaken properly and safely. The loss of the Commons Warden would mean the loss of volunteer work on the commons. The Council will continue to consider opportunities for increased volunteer working on the commons regardless of the outcome of this proposal.</p>

<p>Specific objection to closure of services based on:</p> <ul style="list-style-type: none"> • Not supporting any cuts that affect conservation management • Impact on the Commons Management Plan. 	<p>The action plan arising from the Commons Management Plan would be affected by the loss of staff resource, and whilst it would remain as an agreed and endorsed plan for the commons, delivery of the action points within it would need to be prioritised against other Community Services commitments.</p>
<p>Ramblers Association</p> <p>Considers that the Commons Warden and Urban Rangers have done an excellent job.</p> <p>Considers the Commons Warden to have been especially beneficial in terms of liaison, maintenance, and ecology.</p> <p>Concern that without both services there will be nobody addressing misuse of the commons.</p>	<p>See comments above re Commons Management Plan</p> <p>The enforcement of laws and byelaws is a matter that would have to be reported to, and prioritised by the Police.</p>
<p>Other risks:</p>	
<p>Expectation that work currently undertaken by the Commons Warden service will need to be absorbed by other staff elsewhere within the service or organisation</p>	<p>There is no spare capacity to absorb the pro-active work undertaken by the Commons Warden but to the extent that members of the public and commons users report breaches of the Commons Act, damage, vandalism and anti-social behaviour on the commons, demand on the Customer Services Team and the Community Services Team generally will not diminish. This will have to be carefully monitored by the Assistant Director and Service Manager.</p>
<p>Reduction in resources for responses to emergencies under the Emergency Plan</p>	<p>During declared emergencies under the Emergency Plan the Commons Warden could be deployed in a forward liaison role by the Council's operational command. Other staff would be deployed in such a role if necessary but the mobility provided by motorcycles would be lost</p>

Copies of the full responses of stakeholders are attached at **Appendix E(i)**

An Equalities Analysis on the proposed closure has also been carried out and is attached at **Appendix A**

H. Implementation plan

The broad implementation Plan for this restructure is as follows:

- Staff Consultation starts - letter & meeting with those directly affected (with representation if requested) - Offer of HR rep & TU present as well for those staff directly affected –**issued on 17 January 2013**
- Initial responses to proposal invited – **21 February 2013**
- JCC considers business case – **19 March 2013**
- Policy Scrutiny Committee considers Business Case – **20 March 2013**
- Executive considers business case –**25 March 2013**
- Call in period ends –**5 April 2013**
- Implementation starts – **8 April 2013**
- Notice of redundancy issued to relevant staff and consideration for redeployment – w/c **8 April 2013**
- Gradual exit from programmes and handovers where relevant - **8 April – 14 June 2013**
- Service withdrawn – **14 June 2013**

This timetable may be accelerated if the post holder obtains the offer of redeployment within the Council or the offer of employment outside the authority which is conditional upon acceptance of the offer of employment prior to expiry of the employees notice period.

I. Key Decisions Required

The key decisions required to enable the Detailed Business Case to move to implementation is:

- Executive Committee will be required to decide whether to proceed with the proposal to withdraw the Commons Warden Service
- In the event of such a decision, Executive Committee will be asked to give authority to officers to issue notices of redundancy to the 1 affected member of staff and to implement the Council's managing change procedures.

Appendix A: EQUALITY ANALYSIS

Attached

Appendix B: FINANCIAL IMPLICATIONS

Summarised in Section D and detailed as set out in report in PART B of the agenda papers.

Appendix C: TRADE UNION COMMENTS

To be added after Joint Consultative Committee has met on 19 March 2013

Appendix D: RESPONSE FROM STAFF

None received.

Appendix E: RESPONSES FROM COMMONS ADVISORY GROUP & OTHER STAKEHOLDERS

Attached

Appendix F: POLICY SCRUTINY COMMITTEE COMMENTS

To be added after Policy Scrutiny Committee has met on 20 March 2013