
GROUNDWORK IN DARLINGTON

**Responsible Cabinet Member(s) - Councillor Lee Vasey, Leisure Services Portfolio
consumerCouncillor David Lyonette, Regeneration and Planning Portfolio**

**Responsible Director(s) - Cliff Brown, Director of Community Services
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Purpose of Report

1. To propose the setting up of a Groundwork Trust within Darlington.

Information and Analysis

2. Groundwork is a federation of trusts in England, Wales and Northern Ireland, each working with their partners to improve the quality of the local environment, the lives of local people and the success of local business in areas in need of investment and support. The particular strength of the Groundwork approach is working closely with local communities to develop, design and implement projects.
3. Each Groundwork Trust is a partnership between the public, private and voluntary sectors with its own Board of Trustees. The work of the trusts is supported by the national and regional offices of Groundwork UK and by Groundwork Wales.
4. They work closely with the Government and National Assemblies, local authorities, regional agencies and businesses. They also receive support from the European Union, the National Lottery, private sponsors and charitable foundations.
5. Groundwork receives a grant from the Office of the Deputy Prime Minister (ODPM) to support its activities and is a partner in helping deliver the Government's Sustainable Communities Plan.

Groundwork in Darlington

6. Groundwork is allowed under Charity Law to carry out a percentage of its activities outside of its designated regions and for this reason, Darlington has recently established a working relationship over a number of initiatives with Groundwork West Durham. These initiatives include:
 - (a) They have worked closely with the Council's Allotments Team to help the Council proceed with its Allotments Development Programme.

- (b) They have worked closely with Tees Valley Regeneration, as well as the Council, to help the move from Hundens Lane Allotments to two new sites.
 - (c) They have helped the Firthmoor Partnership to carry out the Doorstep Greens Project, carrying out extensive consultation sessions with residents.
7. In order to assess the need for Groundwork in a new area, the ODPM provide financial assistance to carry out a feasibility study. This is split into two phases, the first to identify any gaps in services that are presently delivered by the local authority and others that could be filled by Groundwork and the second, to compile a work programme for the first five years of operation, if the decision is made to set up Groundwork in the area.
 8. A £20,000 grant was received from the ODPM via Groundwork UK. This was matched by three Borough Councils and the Tees Valley Joint Strategy Unit (JSU) (£7,000 of which was cash, remainder in kind). Consultancy from BE Group was selected by a Steering Group comprising of representatives from the JSU, Darlington, Hartlepool and Stockton Councils. Representatives from Groundwork North East and Groundwork South Tees acted as advisors to the Steering Group.
 9. Following the feasibility study, it was recommended that the best option for Darlington was to extend existing West Durham Groundwork into Darlington.
 10. The business plan (**Appendix 1**) for Groundwork setting up in Darlington details the way the organisation will operate for the first five years.
 11. The new Groundwork will be called Groundwork West Durham and Darlington. There will be suitable premises purchased by Groundwork for the Project Team to operate from within Darlington.
 12. There will be places for two Elected Members to sit on the Board as well as scope for a Board Member from the private sector.
 13. In addition to the Board, there will be local advisory groups set up to ensure that the work programme is delivered in accordance with Darlington Borough Council policies and strategies and that individual projects are scrutinised to ensure compatibility with the work being delivered by the Council.
 14. The work programmes that Groundwork undertakes in the initial phase will be delivered by a Senior Project Officer and a Youth and Community Programme Manager. It is intended to run a Young Voices Programme, which will also fund one Support Worker, specifically aimed at delivering environmental projects. It is intended that in Year 2, there will be an additional Project Officer taken on and that by the end of five years, the team will have grown to seven, with a part-time Landscape Architect, additional Senior Project Officer and some administrative support.
 15. The team in Darlington will be fully supported by the West Durham Team with an existing wide expertise in many areas of environmental improvements.

16. A sample of the kind of projects Groundwork would be working on is listed below:
- (a) Working alongside Community Development Workers to develop environmental projects, such as community centre landscaping, the creation of community gardens where appropriate, or the improvement of Doorstep Greens.
 - (b) Continue to help Allotment Associations.
 - (c) Programmes within Green Start Initiative.
 - (d) Landscape improvements around industrial sites.
 - (e) Help with community involvement in delivering new cycle routes.
 - (f) Community consultation on Tees Valley strategic projects.
 - (g) A partner in the delivery of improvements to play.
 - (h) A partner in the delivery of the Open Space Strategy.
 - (i) Carrying out landscape appraisals.
 - (j) A provision of environmental education.
 - (k) Heritage education and trails.
 - (l) Improvements to school grounds.
17. Day-to-day liaison between Groundwork West Durham and Darlington Borough Council will be carried out with the Council's nominated link officer. This officer will be the Assistant Director – Environmental Services, who will work closely with other colleagues in the Council.
18. In order for Groundwork to set up within Darlington, there would be a requirement for the Council to provide an annual fee of £30,000. This figure has been included in the MTFP, subject to Cabinet approval. By receiving Darlington Borough Council's contribution, Groundwork would be entitled to a grant from the ODPM of one and a half times this amount, bringing the total to £75,000. In addition, through external funding for projects, it is anticipated that there would be a further £18,000 available, generated by the organisation as a whole, so making £93,000 for the first year.
19. Subject to Cabinet approval, consultation will take place with Groundwork on appropriate timescales for implementation. It is anticipated that this could happen almost immediately following agreement.

Advantages and Disadvantages of Groundwork Setting Up in Darlington

20. For limited investment, there will be considerable added value for the Council:
- (a) Groundwork provide very useful additional community engagement capacity to the Council. An area that can be very time-consuming.
 - (b) Groundwork has the potential to figure predominantly in the consultation process and delivery for the Local Area Agreement.
 - (c) Groundwork could develop into important partners in the delivery of the Safer, Stronger, Greener Agenda.
 - (d) Groundwork are useful links into other national agendas on such issues as community capacity building, urban greening and sustainable living.
 - (e) It also assists the Council at times to have a third party present when carrying out consultation events on a wide range of environmental based issues, as has been demonstrated with the recent allotment issues.
21. Disadvantages are as follows:
- (a) It may be possible to deliver some of the Groundwork agenda in-house by using funding to provide for one new member of staff dedicated to environmental improvements at a community level.
 - (b) If there is not a close working relationship with Groundwork, using a third party to initiate projects could lead to greater deviation from the Council's strategy. This can be counteracted by having an effective Steering Group but there is always the possibility of projects coming forward that do not fit with overall strategy or policy.
 - (c) The Groundwork approach to environmental improvements is often seen as design led as opposed to open space improvements, with bio-diversity as its central driving force. The Council has had success in recent years with such an approach therefore it would be essential that Groundwork clearly ties into this overall agenda.
 - (d) It is important that any new partner attracts new funding to schemes and does not compete for the same funds that are currently being used for Council projects.
22. Taking on board the advantages and disadvantages, it is clear that there are risks with engaging the services of Groundwork West Durham but it is believed that the advantages far outweigh the disadvantages. There will be the appropriate checks and balances put in place to manage the disadvantages to ensure that Darlington does benefit from working with Groundwork.

Outcome of Consultation

23. As part of the feasibility study, consultation was carried out with Council officers, voluntary sector and businesses. This consultation identified that there was both a need and support for a Groundwork Trust in Darlington.
24. The research concluded that the most appropriate solution to involving Groundwork in Darlington would be through an extension of Groundwork West Durham, to be known as Groundwork West Durham and Darlington, with a local physical presence in addition to the existing Groundwork offices in Bishop Auckland. To ensure representation across the Tees Valley sub region, Groundwork West Durham and Darlington will work in partnership with Groundwork South Tees and Groundwork East Durham and Hartlepool.

Legal Implications

25. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures.
26. Every Groundwork Trust is incorporated as a company limited by guarantee, this means that Board Members guarantee to pay a minimal sum (usually £1) if, for example, the company were to become insolvent. As a charitable trust, Board Members are referred to as Trustees of the Trust, even though the Trust is a company limited by guarantee and they are not trustees in the strict legal sense. Whatever, they have to act responsibly on behalf of the Trust. So long as they act in a proper manner, they should not be at risk of any personal liability. Groundwork are currently in the process of taking out indemnity insurance for Board Members which will give them the appropriate protection if they act in good faith but something still goes wrong. Further, there could be a situation where a conflict of interest may arise between the role as a Board Member for Groundwork and the role as a Councillor for Darlington Borough Council. If a significant conflict of interest exists or is likely to arise, then serious consideration needs to be given to whether the Member should take on the office. It is not considered that this is likely to be the case.

Section 17 of the Crime and Disorder Act 1998

27. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
28. Groundwork West Durham will work with local communities and the Council on developing initiatives to improve the local environment. The projects will have a positive impact on crime and disorder within the areas they are delivered.

Council Policy Framework

29. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

30. For the purpose of the ‘call-in’ procedure this does not represent an urgent matter

Recommendation

31. It is recommended that:

- (a) Cabinet approve the introduction of a Groundwork Trust by extending the existing Groundwork West Durham Trust into Darlington.
- (b) Cabinet endorse the setting up of a liaison group as detailed in the business plan.

Reasons

32. The reason for the recommendation is that the setting up of a Groundwork Trust within Darlington will bring considerable added value for the Council.

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Background Papers

Business Plan (attached as **Appendix 1**).

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