



Mayor and Cabinet

Report title: Permission to Procure Adventure Playgrounds: Play Service and Site Maintenance and Development Service

Date: 21 June 2023

Key decision: Yes

Class: Part 1

Ward(s) affected: All

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This report seeks Mayor and Cabinet permission to procure an Adventure Playground (APG) Play Service and an Adventure Playground Site Maintenance and Development Service for a period of five years from 1 December 2023, with an option to extend for a further two years. The available budget (over seven years) for the APG Play Service will be £1,360,000 and £658,000 for the APG Site Maintenance and Development Service.

Both the Play Services and APG Site Maintenance and Development Service will operate across all five of Lewisham Council's adventure playground sites: Ladywell Fields, Home Park, Honor Park, The Dumps, and Richard MacVicar.

The Council faces significant challenges providing a consistent Play offer and keeping the APGs open due to the poor conditions of the APG sites and the ongoing maintenance costs, which are expected to rise as the sites general conditions worsen without intervention. This has impacted on APG site utilisation, and the quality of services being provided. These challenges cannot be met by the council alone and require a partnership approach that draws upon a range of knowledge and experience within the play and adventure playground sector.

The proposals in this report are in line with the vision and recommendations within the Lewisham Council Play Strategy 2023-2028, which sets out the council's commitment to becoming a leader in play opportunities for children and young people. The strategy also commits the council to maintaining and developing the APGs to meet the Play England 'Gold Standard' of play as part of a five-year plan.

Mayor and Cabinet are recommended to:

1. Approve the procurement for the Adventure Playground Play Service for a period of five years from 1 December 2023, with the option to extend for a further two years

2. Approve the procurement of the Adventure Playground Maintenance and Development Service for a period of five years from 1 December 2023, with the option to extend for a further two years.
3. Note the intention to seek approval from the Mayor and Cabinet for the Contract Award for the Play Service and the Site Maintenance Service following the conclusion of the procurement process.
4. Authorise the advertisement of the disposal by way of seven-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG in accordance with section 123(2A) Local Government Act 1972 and note that a further report will be brought to Mayor & Cabinet to consider any objections received to the proposed disposals.

Issuing of non-repairing leases to the Adventure Playground Play Service provider is expected to increase the provider's ability to maximise site occupancy and increase the ability to secure long-term funding to grow play sessions and draw in external funding to refurbish and replace (where deemed necessary) the APGs. The Dumps and Richard MacVicar APG sites are not being leased at this time. The Dumps APG is due to be rebuilt as part of the Watergate School expansion in 2024, and Ricard MacVicar is currently leased to a Youth Service Provider.

Timeline of engagement and decision-making

- As part of the development of Lewisham's Play Strategy which was approved in October 2022, children, young people and their families were extensively consulted
- Their views were represented in the Play Strategy's vision and recommendations
- Autumn 2022 – provider market engagement event
- May 2023 – extended existing contracts for Play and APG maintenance and repair until 30 November 2023

1 Summary

- 1.1 In 2023, Lewisham Council launched its Play Strategy (2023-28) setting out the council's vision to be a leader of play opportunities for children and young people with a variety of places to play within walking distance of their homes. The Play Strategy was coproduced with Lewisham's children, young people, and families in recognition of the importance play opportunities have on their quality of life, development, and wellbeing. The Play Strategy and the recommendations are a sign of the council's commitment to protecting play as a fundamental right for everyone.
- 1.2 Adventure Playgrounds (APGs) are huge assets and well-liked by children, young people, and their families. Lewisham Council is fortunate to operate five within the borough, however, this is not without significant challenges. The APGs are underutilised and in poor conditions as they near the end of their current expected lifespan, which is, on average 3-5 years remaining without significant intervention. Furthermore, the wider sites (including outbuildings) require large amounts of work, and this has impacted on the sites being open. The challenge is further increased due to the APG structures primarily being built from large wooden telegraph poles, which have limited lifespan and are costly to repair and maintain. It has been a consistent struggle to provide a high-quality APG Play Service for our young people. In summary, the council alone cannot

meet the ongoing challenges of operating the APGs and the recommendations of the Play Strategy without the support of a range of partners.

- 1.3 This report seeks permission from Mayor and Cabinet to procure the APG Play Service for children and young people across the London Borough of Lewisham's five APG sites to deliver a key Play Strategy priority – increasing APG usage and maximising their potential as community assets. The Play Service will be contracted to provide a minimum core accessible play offer across the five APG sites and will require the provider to increase APG site usage through various means of site diversification, income generation, and external funding opportunities during the lifetime of the contract. This approach is intended to increase play opportunities and community access for Lewisham residents, as well as support the ongoing challenge of maintaining, refurbishing, and replacing the sites over the next five to seven years (estimated lifespan of the current APG structures without significant redevelopment/replacement).
- 1.4 This report also seeks permission from Mayor and Cabinet to procure the service for the APG Site Maintenance and Development Service in conjunction with the core APG Play Service, to ensure the APGs remain in safe, usable order. The APG site maintenance provider and APG Play Service provider will work together with the council to develop an APG Master Development Plan. The plan will coordinate site refurbishment and replacement through external funding opportunities and site income generation. In addition, the Play Service provider will also be expected to increase APG play services through external funding opportunities.
- 1.5 The proposed new service delivery model is expected to provide more stability so that APG play services can be provided more consistently and more frequently across the APG sites, which will increase the quality of provision. The new model will achieve this by giving providers a long contract that enables them to recruit and train permanent staff to deliver the services. It is expected that providers will also be able to leverage in additional funding to increase service provision and improve the current sites. To support this, additional budget has been made available for the Play Service provider to generate income with a dedicated resource for fundraising and business development.

2 Recommendations

Mayor and Cabinet are recommended to:

- 2.1 Approve the procurement for the Adventure Playground Play Service for a period of five years from 1 December 2023, with the option to extend for a further two years. In line with the proposal within this report, the Play Service will provide a core offer across Lewisham Council's five APGs to children and young people. The value of the contract over the seven years will be up to £1,386,000 (£198,000 pa).
- 2.2 Approve the procurement of the Adventure Playground Maintenance and Development Service for a period of five years from 1 December 2023, with the option to extend for a further two years. In line with the proposal within this report, the Adventure Playground Maintenance Service will provide a core maintenance offer across Lewisham Council's five APGs to ensure they are safe to operate for the duration of the Play Service contract. The value of the contract over the seven years will be up to £658,000 (£94,000 pa).
- 2.3 Note the intention to seek approval from the Mayor and Cabinet for the Contract Award for the Play Service and the Site Maintenance Service.

- 2.4 Authorise the advertisement of the disposal by way of seven-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG in accordance with section 123(2A) Local Government Act 1972 and note that a further report will be brought to Mayor & Cabinet to consider any objections received to the proposed disposals.
- 2.5 Issuing of non-repairing leases to the Adventure Playground Play Service provider is expected to increase the provider's ability to maximise site occupancy and increase the ability to secure long-term funding to grow play sessions and draw in external funding to refurbish and replace (where deemed necessary) the APGs.

3 Policy Context

3.1 This report aligns with Lewisham's Corporate Priorities, as set out in Lewisham Council's [Corporate Strategy \(2022-2026\)](#):

- Cleaner and Greener
- A Strong Local Economy
- Quality Housing
- Children and Young People
- Safer Communities
- Open Lewisham
- Health and Wellbeing

3.2 This report also aligns to Lewisham Council's [Play Strategy 2023-28](#) vision that all Lewisham children will have a variety of supervised and unsupervised places for play within walking distance of their home, and the strategy's three co-produced aims:

- To oversee the development of a high-quality, accessible play service.
- To ensure that all residents have play facilities within walking distance.
- To make sure that all play developments are created in consultation with users.

3.3 In addition, the proposals within this report support Lewisham Council meet the Key Recommendations from the Play Strategy:

- The council is committed first and foremost to developing and promoting play opportunities in the borough, and in doing so, we will ensure that this is undertaken through ongoing consultation and co-production with children and young people and their families, on design and development of new play provision and play spaces.
- Ensure that our current play provision and spaces, including the adventure playgrounds, are in locations where they are needed, and for the council to consider how best to manage, maintain and drive their use including financial and legal implications and community engagement.
- The council will ensure that consideration is given to 'play' in all plans, designs, and developments within the borough and making sure play is always in mind across all council activities.

4 Background

4.1 Lewisham's adventure playgrounds hold a rich history and importance to Lewisham residents with some APGs dating back to the 1970s. There is a history of residents coming together to build APGs and turning these structures into community assets for children and young people to enjoy and experience the benefits of outdoor play in safe, welcoming environments.

- 4.2 Lewisham Council is proud to be one of the top five London boroughs in terms of the number of adventure playground sites and is committed to retaining this achievement. However, maintaining and developing the APGs (including the wider sites/grounds) comes with challenges - particularly given the sustained cuts local authorities have faced due to austerity. Since 2009-10, central government funding has reduced significantly and has made it extremely difficult for local authorities, like Lewisham, to maintain APGs and provide sustainable play sessions year-round.
- 4.3 Despite the acute challenges, Lewisham Council continues to commit to operating APGs and spends an estimated £370,000 per annum to provide play sessions, maintain and repair the APG sites, and cover the operational running costs (utilities, refuse collection, insurance, pest control, and site security) for each APG. In 2023, the council's Play Strategy (2023-28) committed Lewisham Council to work towards delivering the 'Gold Standard' (Play England) in APG play provision, which would reverse a trend of reducing play session and APG opening hours and increase the number of children and young people benefiting from play.
- 4.4 As part of the Play Strategy development, an audit of the five APGs was carried out and highlighted that the site structures are heavily dependent on large wooden telegraph poles. Telegraph poles are expensive to maintain and prone to wood rot in the ground with a relatively short lifespan. The audit highlighted that all the current APG structures would require replacement within the next five to seven years, with most sites requiring replacement within three to five years; sites would also require significant refurbishment before then to remain safe and compliant.
- 4.5 Based on current estimates, the cost of replacing all five APGs with modern long-lasting equipment that would require less maintenance would exceed £1m (est. £200-£285k per site), which the council is unable to meet alone. However, via S.106 funding and the expansion of a nearby school (Watergate Special School), the replacements cost for the Dumps APG have been secured. Under the current school expansion timeline, The Dumps is planned to close in January 2024 and a new co-designed and inclusive site will open in 2024-2025, following the completed expansion of the school. The new contract provision will provide for services to be run flexibly across all sites taking into account site closures with replacement services running from youth centre buildings located within the sites, at nearby adventure playgrounds or community venues until sites open again.
- 4.6 To meet the challenges and deliver a Gold Standard of play across the APGs within the operating budget, the council needs to adapt its APG operating approach and look towards a partnership approach that draws on external funding opportunities and maximises commercial opportunities to generate income from the sites.

5 Current APG Play and APG Maintenance Offer

Play Service

- 5.1 Youth First, a local youth services provider, currently provide play sessions across four APG sites with a current annual spend of around £120k pa for 288 sessions. The overall budget for play sessions is currently £158k pa., however the council only funds sessions delivered and due to site conditions and staff shortages, not all APG sites have been open during the year. Play sessions are not currently provided at Richard MacVicar, which is currently operating as a youth service whilst Riverside Youth Centre is closed for redevelopment; it is intended that play sessions will restart once the Riverside Youth Centre redevelopment work is completed. The Youth First APG play contract has been extended until the 30th of November 2023 to allow for the procurement of a new core offer.

- 5.2 Currently, with the exception for Ladywell APG, which has been closed due to unsafe air quality within the outbuilding and Richard MacVicar which is currently used as youth club, all the APG sites have two play sessions per week (staggered) of afterschool and weekend (Saturday) delivery. Take up rate of sessions varies throughout the year, however, across the five APG sites, there is capacity for 510 children and young people to access play sessions at any one time. There are no immediate plans to make improvements to the outbuilding however, the service provider will be required to work flexibly either by opening the site using temporary outbuildings/toilets or delivering services at nearby APGs or community sites. This will be specified in the service specification and contract.
- 5.3 In the context of reduced central government funding for play and outdoor spaces, the APG equipment conditions, national staff shortages, and increased operating costs, it has been challenging to maintain a consistent play offer across all the APG sites. Overall, APG site utilisation is very low across all sites and mostly limited to the Youth First play sessions only. This is primarily due to the condition of some of the sites and there being no coordinated approach between the play session provider and Lewisham Council to maximise site usage.

APG Maintenance Service

- 5.4 The maintenance service has been provided by London Play Design, a specialist APG maintenance provider since July 2021 (prior this, London Play Design were sub-contracted by Youth First when APG maintenance was part of the Youth Service contract). The contract has been extended until 30th November 2023 to allow for the procurement of a new maintenance service.
- 5.5 The average annual routine maintenance cost (APG site maintenance contract) per site was £9-10k in 2022-23. Excluding play sessions, the average annual operating cost of one APG site (incl. routine maintenance) was £42k pa in 2022-23.
- 5.6 The current provider has utilised corporate social responsibility days (corporate volunteer days) and community pay-back (community service) schemes to provide low-cost maintenance, which has been highly effective at reducing costs. The provider oversees the schemes and ensures the required safety standards are met.
- 5.7 Currently, the two services (maintenance and play) operate independently of each other, and Lewisham Council has overall oversight for site management and development. This arrangement has maintained the status quo but is not sufficient given the size and scale of the challenges facing the continued operation of APGs in Lewisham. Therefore, a new approach working in partnership with providers is required to harness in additional funding to support long-term solutions and site adaptations. The service specification will require the providers to work together and develop a partnership agreement (Master Development Plan) that will provide for working collaboratively around health and safety issues, site development requirements and accessing additional funding to increase play sessions and redevelop the APGs and the wider sites (e.g., outbuildings). This will be strengthened by regular monitoring and partnership meetings which will examine the effectiveness of partnership working and how service and development plans are progressing for each site/service. Each provider will be required to attend the Play Strategy Advocacy Group and will be made accountable to that Group.

6 Cost Benefit Analysis (options appraisal) and APG Audit Recommendations from the Play Strategy (2023-28)

6.1 Cost Benefit Analysis

6.1.1 As part of the Play Strategy development an audit and cost benefit analysis (CBA) was carried out to review long-term solutions to the council's challenges as an APGs operator. The CBA and audit considered the sites' conditions, Lewisham Council's ambitions for play, the potential unused capacity of each site to become multipurpose / multioccupancy sites, and the potential to generate income through traded activity. It is important to note, APGs require ongoing maintenance to keep them in safe, usable conditions. Therefore, there will be ongoing costs and the options reflect the use of modern APG equipment, which has a lower ongoing maintenance cost. The below table is a summary of the audit recommendations and options analysis, including financial modelling over a 10-year period.

6.1.2 Play Strategy APG Audit Summary (aim of replacing APGs within five years):

No.	Option Description	Benefits	Disadvantages
1	Site closure and removal of 100% of funding	<ul style="list-style-type: none"> Initial saving of £160k pa (play sessions ceasing) as they APG Play Service would cease Minor savings in maintenance costs 	<ul style="list-style-type: none"> Ongoing repair costs across the site as they would still require maintenance, even if not in use Increase in security costs likely as sites are vacant for longer and more likely to become a target for trespassing/squatting /anti-social behaviour
2	'Status Quo' / 'As is'	<ul style="list-style-type: none"> Remain within the council's allocated budget in the immediate short-term 	<ul style="list-style-type: none"> Site closures as repair costs would exceed available budget
3	Replacing APG with new modernised equipment / structures	<ul style="list-style-type: none"> New cost-effective equipment that would enable an increase in site usage Long-term savings in maintenance costs through equipment that is cheaper to maintain 	<ul style="list-style-type: none"> One-off costs of £1m - £1.2m (est.) to replace APGs sites, which would require significant budget growth Reduced maintenance costs as sites would be built to modern specifications
4	Mixed model of funding via income generation and grants with a phased APG Master Development/ Replacement plan (A plan for maintenance, repair and replacement) over five years	<ul style="list-style-type: none"> Long-term plan to remain within the council's allocated budget Master development plan to support the redevelopment replace of sites Focus on site income generation (ring-fenced) for 	<ul style="list-style-type: none"> Dependent on external income via traded activities and grant funding Site conditions and designs are currently prohibiting some traded activities that could be expected through activities such as venue hire

		sustainability	
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6.1.3 The below (Figure 1) is the CBA financial summary table, which provides an example of a 10-year view of the options considered. The figures are indicative estimates that were proposed for illustrative purposes only. The recommended option will be delivered within the available budget and the council has carried out detailed financial modelling to ensure the proposals for site maintenance and development can be delivered within budget.

(Option 4 is split into 'A' and 'B'. Option 4a is an example level of investment to repair and replace the APGs over the first five years with costs reducing thereafter. Option 4b is the same as Option 4a, but with the estimated income generated by the provider removed to reduce the overall cost.)

Estimated repair, maintenance, and construction costs for the external play equipment at the five Lewisham adventure playgrounds											Totals		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Years 1-10	Years 10-20	Years 1-20
Option 2	£60k	£90k	£120k	£150k	£180k	£60k	£90k	£120k	£150k	£180k	£1.2m	£1.2m	£2.4m
Option 3	£60k	£450k	£465k	£255k	£5k	£5k	£5k	£8k	£10k	£15k	£1.28m	£1.2m	£2.48m
Option 4a	£125k	£125k	£125k	£125k	£125k	£75k	£75k	£75k	£75k	£75k	£1m	£750k	£1.75m
Option 4b	£95k	£95k	£95k	£45k	£45k	£45k	£45k	£45k	£45k	£45k	£700k	£750k	£1.45m

Figure 1 - Lewisham Play Strategy 2023-28 Options Analysis Financial Summary (pg.45)

6.1.4 Option 4 (**recommended**) provides best value for Lewisham Council and Lewisham residents, whilst remaining within the council's available budget. This option would enable the development and replacement of sites over an initial five-year period through sustained and targeted investment to gradually redevelop the sites in a planned way. From year six onwards, the maintenance costs reduce as the sites have been replace/redeveloped with more cost-effective equipment. Costs further reduce once income generation is considered, which would increase as the site conditions improve and become more commercially viable.

Using a mixed model of funding (commissioned service and external grant/sources), the Play Service Provider (in partnership with the Site Maintenance Services) will leverage in additional income through a mixture of income generating activities and grants through external funding opportunities. They will develop a master development plan (section 5.7) that methodically directs additional resources to the repairs and replacements needed across the sites. Income generated by the Providers would be ring-fenced for increasing play sessions and/or funding repair/replacement works. Under this proposal, the council benefits from either not having to fund additional services or pay for high repair/replacement bills for play equipment. Quality of services being provided will also increase because of the sustained investment in the APGs and the sites, benefiting our children and young people.

6.1.5 Option 3 was assessed as not providing Lewisham Council with best value and would not address the challenges the council faces. This option requires significant investment upfront, which the council alone could not fund, and would propose that the structures

are replaced 'like-for-like'. This would not be a long-term solution to the challenge and would create an escalating cycle of repair costs. The like-for-like replacement will mean that that telegraph poles continue to need maintenance when the most efficient solution would be to replace with low maintenance structures.

6.1.6 Option 2 'status quo' is not recommended as it would mean that the APG sites would become unsafe (leading to closures) and the opening hours / play sessions would significantly reduce across all sites (apart from the newly replaced The Dumps APG from 2024-25). To maintain the sites, and the level of play sessions currently being provided, Lewisham Council would have to increase funding beyond the available budget within 2-3 years. This option does not support the vision and aims of the council's Play Strategy.

6.1.7 Option 1 would offer initial savings of £160k per year (APG Play spend), however, the sites would still incur maintenance costs and site running costs (e.g., security). This option would not be in line with the council's Play Strategy and would be a loss for Lewisham residents.

6.2 APG Key Audit Recommendations

1.	Gold Standard Adventure Playground As one of the top five boroughs for adventure play in the capital, Lewisham Council should make a public statement and/or produce a formal undertaking to recognise adventure play as the gold standard for children's play, and commit to keeping its adventure playgrounds open, adequately staffed/operated and in good repair.
2.	Commission an appropriate site management organisation Ideally competent in adventure play and play work, play safety regulations, design, construction and engineering, community liaison as well as procuring sources of low cost labour) to devise a phased, costed design master plan to reduce the number of large telegraph pole play structures (and their corresponding significant repair bills) over a period of five years to a number that can be easily maintained by user groups.
3.	Health and Safety - Carry out ongoing essential repairs The site management organisation should carry out essential repairs to keep the sites safe and secure, in line with reports from an independently commissioned play safety inspector. Where appropriate, this should be done with sources of low-cost labour such as teams of corporate volunteers or probationers to further reduce maintenance costs. Repair some of the equipment (by risk priority identified in the safety inspection reports) and remove other outmoded items, in line with the design plan.
4.	Maximise the number of community groups that use the sites To maximise the number of community groups that use the sites outside of core adventure playground opening hours (e.g., schools, youth work providers, tenants' associations, community groups etc.) in return for a contribution (monetary, labour, promotional/acknowledgements or in kind) towards the upkeep of the playgrounds. Additional user groups would likely bring additional funding to individual sites.
5.	Introduce a commercial hire programme To introduce a commercial premises, hire programme (outside of core opening hours) such as children's parties, photo shoots or corporate team building days. Funds raised by the programme should be ringfenced for adventure playground site maintenance and the development of new features and equipment.
6.	Staff Play Service staff from the Play Service Provider should hold or work towards play work or related qualifications and facilitate all aspects of adventure play. This includes insurance for staff to carry out play structure maintenance and construction as well as den building and other adventure play activities with children and young people.
7.	Install auxiliary roofs

	The council should install auxiliary roofs to the workshop section at Honor Oak Park APG (now at hand) and at Ladywell APG. Within five years, the installation of auxiliary roofs at the other sites with container-style buildings is strongly recommended as leaks will develop in a similar fashion and damage to circuits is likely.
8.	Create a flexible and evolving play space including for disabled children Phase in materials, equipment and features that facilitate adventure play currently missing from the offer. For example, regular access to bonfires and cooking outdoors, having 'loose parts' materials and objects (such rope, cable drums, tractor tyres, old prams etc.), den building opportunities, performance spaces/stages (exception: The Dumps where this already exists) dressing-up and costume making. Phase in better provision for children with disabilities.

7 Service outline and roles and responsibilities

Partner	Service Outline & Key Responsibilities
Play Service Provider	<p>Service Aims</p> <ul style="list-style-type: none"> - Provide safe and engaging play spaces and opportunities for children and young people to develop and be active - Increase play opportunities for children and young people - Lead the APG site development and refurbishment plans to be sustainable community assets open throughout the year <p>Service Outline</p> <ul style="list-style-type: none"> • Provide a core play services across the five APG: • A minimum of two play sessions of at least 2.5hrs twice per week across the five APG site delivered by qualified play staff • Delivered afterschool, during school holidays and at weekends • A staffing ratio to operate each APG session to capacity (varies per site) • Core service required for a minimum of 40 weeks per year (priority period between March-December) • When sites are closed (e.g., refurbishments, site issues) increase provision across open APG sites • Develop income generation through site rental and build the customer base by promoting the APGs to other organisations to use and benefit from • Lead on fundraising bids to grow Play Services/improve buildings and replace play equipment • In partnership with the APG site maintenance provider implement the Master Site Development Plan • Ring-fence income generated through service activity, site rental, and external funding sources for the sole purpose of increasing play sessions and redeveloping the APG sites (as part of the Master Development Plan). This will form part of the partnership agreement and accountability to the Play Strategy Advocacy Group • Hold sufficient level of insurance commensurate to the activities being carried out
Site Maintenance and Development Service Provider	<p>Service Aims</p> <ul style="list-style-type: none"> - Provide safe and engaging spaces for children and young people to develop and be active - Maintain the APGs throughout the year to ensure they remain in a safe and usable condition and compliant with

	<p>relevant health and safety regulations</p> <ul style="list-style-type: none"> - Contribute (and lead where appropriate) to the APG site development and refurbishment plans to be sustainable community assets open throughout the year, which (where appropriate) are replaced/redesigned to the highest quality <p>Service Outline</p> <ul style="list-style-type: none"> • Provide a core routine maintenance and groundwork service to ensure the APG sites remain open, safe to use, and compliant with at least the minimum health and safety requirement for large outdoor play structures - RoSPA code of practice for Play Areas and wooden structures • Work to a phased, fully costed design and maintenance plan for the sites that looks at replacing, over a period of five years, most old high-maintenance equipment with low-maintenance features, giving equal or higher play value in line with Play England adventure play guidance. Repair some of the equipment (by risk priority identified in the safety inspection reports) and remove other outmoded items in line with the design plan • Liaise closely with the council's Estates Manager, Play Service Provider, Commissioner, and facilities team to highlight areas of concerns and proposed solutions to resolve • Access funding from other external sources • Lead the development and implementation of the Master Site Development Plan, in partnership with the APG play service provider • Ring-fence (restricted income) of any income through external funding sources for the sole purpose of increasing play sessions and redeveloping the APG sites (as part of the Master Development Plan). This will form part of the partnership agreement and accountability to the Play Strategy Advocacy Group • Hold sufficient level of insurance commensurate to the activities being carried out
Lewisham Council	<ul style="list-style-type: none"> • Hold regular partnership working/monitoring meetings • Ensure Master Development Plan is realistic and achievable • Signposting providers to funding opportunities and supporting bids • Continue to explore sources of funding for revenue/capital funding (i.e., S.106 and government grants to develop open spaces) • Encourage other commissioned providers to utilise the APG sites which would generate income and a regular customer base for the Play Service provider • Initially maintain the oversight of the APG site operational running costs
Collaborative working - all parties	<ul style="list-style-type: none"> • Work in partnership to contribute to the Master Development Plan (updated annually) for services and site development, working towards a self-sustaining APGs.

8 Procurement Strategy

- 8.1 The recommended option for the procurement of the APG Play Service and APG Site Maintenance and Development Service is via a one-stage open tender process. An open tender will allow for competition from the market and for new service providers to bid. Via an open tender, the council will select a service provider/s offering value for money, competitive prices, and acceptable quality through the Most Economically Advantageous Tender (MEAT).
- 8.2 Officers have designed the service specifications of the new Play Service and APG Site Maintenance and Development in line with the recommendations of Lewisham's Play Strategy 2023-28 and following feedback from a market engagement event held in November 2022. The process also involved engaging with a range of stakeholders, particularly children, young people, and families that were engaged as part of the development of Lewisham's Play Strategy.
- 8.3 There will be two separate tender opportunities and hence two separate contracts to be awarded, as set out below:

Opportunity 1: Delivery of a core APG Play Service across all five APG sites (The Dumps; Home Park; Honor Oak, Ladywell Fields and Richard MacVicar)

Opportunity 2: Delivery of APG Site Maintenance and Development Service (The Dumps; Home Park; Honor Oak; Ladywell Fields and Richard MacVicar)

The procurement will involve awarding two separate contracts for tender opportunity 1 and 2. These tender opportunities will allow smaller organisations to bid allowing greater collaboration and greater interest from the market. Commissioners will review the tender submissions and make an assessment based on best value.

- 8.4 Tender opportunity 1: Delivery of a core APG Play Service at all five APG sites

The tender opportunity would entail play services provided after school, weekends, and school holidays across the five Lewisham Council APG sites. Supported by an increase in contract value on the previous contract, it will also include an element of income generation to expand the number of play sessions over the lifetime of the contract and to lead on income generation (via charitable grants and traded offers) to contribute to the refurbishment and replacement costs of the APG sites to secure the long-term usage. The provider will work in partnership with the Site Maintenance and Development provider to develop the annual Master Development Plan to coordinate efforts to generate income, maintain, and redevelop the APGs prior to them reaching the end of their safe usable lifespan.

The tender opportunity will be based on a budget envelope of £198,000 per annum. Tenderers will be evaluated on price, quality, and commercial aspects of their bid with an evaluation scoring method of 45% quality, 45% price and 10% social value. This will include testing the viability of their proposals to bring in additional funding to replace/renew the current assets (play equipment and buildings) and expand the service offer. The additional funding can be generated through hiring the sites for other activities by the wider community including accessing a variety of charitable funding. It is not envisaged that the amount of fundraising is capped as the income generated is required to improve the adventure playground sites and enhance play services.

The provider will be required to ring-fence any income generated and treat as designated / restricted income in their organisation's accounts for the purpose of delivering the contract, increasing provision, and developing APG sites.

The provider will be required to deliver services flexibly across all five sites including at Richard McVicar (subject to negotiations with the leaseholder) and the Dumps (to deliver services either at the youth centre building located within the site, nearby community venues or at other APG sites when the site is closed for the Watergate School expansion). This will be specified in the contract and the service specification.

8.5 Tender opportunity 2: Delivery of APG Site Maintenance and Development Service

The tender opportunity will provide routine and preventative maintenance across the five APG sites to ensure they remain operational during the lifetime of the APG Play Service contract, as well as being operational and in good condition for alternative site usage. The site maintenance contract will also support the delivery of the Master Development Plan and utilise any annual maintenance underspend and additional income (generate from either Play Service or Site Maintenance provider) to develop, improve, and replace the APGs as defined in the annual Master Development Plan. This approach is intended to ensure the sites remain fit-for-purpose and are replaced/remodelled in line with their current expected lifespan.

8.6 Tender opportunity 2 will be based on 45% quality, 45% price and 10% social value.

As with tender opportunity 1, the provider will be required to ring-fence any income generated and treat as designated / restricted income in their organisation's accounts for the purpose of delivering the contract, increasing provision, and developing APG sites. The Provider will be able to generate income through charitable funds, site hire and bidding for additional services.

The provider will be expected to work flexibly across all five sites. When one site is closed such as the Dumps, to reallocate resources to the other open sites. This will be specified in the contract and service specification.

8.7 Proposed Procurement Timetable for opportunity 1&2:

Milestone	Due Date
Mayor and Cabinet	21/06/2023
Issue Tender	03/07/2023
Mayor and Cabinet Contract Award and Grant of leases	20/09/2023
Contract Mobilisation and Implementation	Oct 2023 – 30 Nov 2023
Contract Start	01/12/2023

9 Granting of Leases for the APG Sites

9.1 Under the proposals within this paper, the APG Play Service provider will be expected to increase APG site usage (including number of play sessions) and source funding through charitable grants and other external sources. It is recognised this is challenging and grant funders and high net worth individuals require long-term security of bids. Therefore, following feedback from providers and potential funders, non-repairing leases are being proposed. The Mayor and Cabinet will be presented with proposals to approve the leases along with the contract award.

- 9.2 Lewisham Council is the Freeholder of four of the five APG sites – Ladywell APG, The Dumps APG, Home Park APG, and Richard MacVicar APG. Network Rail are the Freeholder of Honor Park APG and lease the site to the Council for £1508.10 pa. In conjunction with the proposals within this report, the council intends to issue coterminous non-repairing leases of seven years to the provider of the APG Play Service contract for Ladywell APG, Honor Park APG (sub-lease), and Home Park APG. There will be break and termination provisions, enabling the leases to be terminated in the event that the contract is not extended or is terminated early for breach.
- 9.3 The lease to the Dumps will not be granted at this stage due to the site being redeveloped as a result of the Watergate School expansion from approximately January 2024 to July 2025. The new Provider will be expected to continue to provide services until its closure and resume services at the site when it reopens. During the period of the closure, the Service Provider is expected to provide services at either the youth centre building located at the site, at a nearby community venue or increase services at other APG sites. This will clearly be stipulated in the contract and service specification.
- 9.4 In terms of Richard MacVicar, a Youth Provider already has a non-repairing lease until 2024 to that site but services are expected to run at the site on the days when the site is not in use. This will be subject to negotiation and agreement with the Youth Provider. The contract and service specification for the Play Service will stipulate this requirement clearly.
- 9.5 As Richard MacVicar and The Dumps APGs are not currently in scope for the grant of leases, this may be considered later to support the delivery and aims of the APG Play Service.
- 9.6 Section 123 Local Government Act 1972 requires the council to publish notice of its intention to dispose (including by way of lease) of land forming open space for two consecutive weeks in a local newspaper and consider any objections to the proposed disposal which may be made to the council. It is intended that this notice will be published prior to the contract award for the APG Play Service. This means that no decision to grant the leases is being made at this stage and any decision to do so would only be made once the statutory requirements have been complied with and only after objections had been properly considered at a meeting of Mayor and Cabinet. If the objections received cannot be reconciled, there is a risk that the procurement of the APG Play Service may need to be discontinued. The decision of Mayor and Cabinet to authorise the commencement of procurement in no way fetters their ability to reject any proposal for a disposal of open space at the approval to award point.
- 9.7 In 2009, the then Big Lottery Fund (now National Lottery Community Fund), provided a grant to redevelop the Home Park APG site and an interest was registered against the site as part of the funding conditions. In consultation with the National Lottery Community Fund, the registered interest will be removed so that the Council can freely lease the site.

10 Financial implications

- 10.1 The cost of managing and maintaining Lewisham's Adventure Playgrounds (APG) are met from the Contracts for Youth Services budget which is currently £1.743m.
- 10.2 The Contracts for Youth Services Budget includes and allocation of £198,000 for the Play Service and £94,000 for site maintenance and development.

- 10.3 The expected cost of both contracts, as set out in the recommendations in section 2, can be met from the Contracts for Youth Service budget and will not result in a pressure on the General Fund
- 10.4 The successful contractor will be expected to explore external funding and income generation opportunities in order to develop the service and meet ongoing cost increases, such as inflation and pay awards. This will form the basis of the award agreement. In the event that the provider is not able to raise sufficient income, the service would be expected to reconsider the tender agreement within existing resources.

11 Legal implications

- 11.1 The power to provide play services is contained in Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 which enables the Council to provide recreational facilities.
- 11.2 The disposal of open space land is permitted by section 123(2A) Local Government Act 1972, provided that the Council has advertised its intention to dispose of the land in question in a local newspaper for two consecutive weeks and has considered any objections that are made as a result of those advertisements. This report recommends that Mayor and Cabinet approve the advertisement of the proposed disposal by way of 7-year lease to the selected Adventure Playground Space Provider of open space at Home Park APG, Honor Oak APG and Ladywell Fields APG. A future report considering any objections raised will be brought to Mayor and Cabinet for consideration at a later date. This report makes no recommendations in relation to the grant of leases at The Dumps, Richard MacVicar or any alternative site. Should leases of these sites, or any alternative, be considered at a later date then the requirements of s123(2A) Local Government Act will need to be complied with separately.
- 11.3 The Council must obtain approval/consent to the proposed grant of lease from the freeholder of Honor Park APG and the National Lottery Community Fund (in relation to the lease of Home Park APG). Any contractual requirements in respect of the Richard MacVicar site, will need to be consistent with the pre-existing lease over that site and will be subject to the consent of the existing tenant.
- 11.4 The report seeks approval to procure 2 contracts, one for the provision of play services at the Council's adventure playground sites and one for maintenance across all sites, both for a period of 5 years with the option to extend for up to a further 2 years. Given the potential spend on the contracts both would be categorised as Category A contracts under the Council's Contract Procedure Rules. The report sets out the options considered for the provision of the services and explains why those are the recommended options.
- 11.5 Assuming that Mayor and Cabinet accepts the recommendation to procure a contract for the provision of play services at the Council's adventure playground sites and one for maintenance across all sites by an external provider, the Contract Procedure Rules ("CPR") place requirements on how that should happen. The CPR require that when letting contracts steps must be taken to secure value for money through a combination of cost, quality and competition, and that competitive tenders must be sought. Given the potential spend on the contracts the Public Contracts Regulations 2015 ("Regulations") will apply. The requirements of both the Regulations and the CPR would be satisfied by use of the open procedure as set out in this report. As Category A contracts, it will be for Mayor and Cabinet to take a decision on the award of contracts.

12 Equalities implications

- 12.1 Any new provider/s will be required to have appropriate and relevant equalities and diversity strategies, policies, and procedures in place for ensuring that the service is meeting the needs of Lewisham's children and young people to a high standard. They will be expected to maintain and report on equalities service data
- 12.2 A complete Equalities Analysis Assessment (EAA) has been conducted as part of the re-commissioning exercise. Broadly, the findings are that play services should be much more accessible to increased number of children and young people and should involve Lewisham's many communities in the development and use of APG sites. In the long term, new services will also enable APG sites to be used for children from 0-19 (up to 25 for children with special educational needs and disabilities). The proposed Watergate School Expansion's proximity to the Dumps provides new opportunities to develop services there for disabled children. The EAA, therefore, shows that the new service model will have a positive impact on children and young people with protected characteristics as more disabled children and children from minoritized communities participate.

13 Climate change and environmental implications

- 13.1 The new provider is expected to comply with the Council's Environmental and Climate Change requirements, to minimise the environmental impact of the service.

14 Crime and disorder implications

- 14.1 Adventure play services contributes towards keeping children and young people safe from exploitation, anti-social behaviour, or criminal activity.

15 Health and wellbeing implications

- 15.1 Adventure play services plays a significant role in promoting the health and mental wellbeing of children and young people and contributes towards the public health outcomes around obesity and health.

16 Social Value implications

- 16.1 Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process how wider social, economic, and environmental benefits that may improve the wellbeing of the local area can be secured.
- 16.2 The council is also an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or service within Lewisham pay their staff at a minimum rate equivalent to the LLW rate. Successful contractors will be expected to meet LLW requirements and contract conditions requiring the payment of LLW will be included in the tender documents.

Background papers

Lewisham Play Strategy – Mayor and Cabinet, October 2022

<https://councilmeetings.lewisham.gov.uk/documents/s103136/MC%20Play%20Strategy%20Report%20Final.pdf>

Glossary

Term	Definition
YF	Youth First
APGs	Adventure Playgrounds
CBA	Cost Benefit Analysis
EAA	Equalities Analysis Assessment
MEAT	Most Economically Advantageous Tender
LLW	London Living Wage
RICS	Royal Institute of Chartered Surveyors
RoSPA	Royal Society for the Prevention of Accidents

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Appendices

Not applicable