

# Broads Authority

28 January 2022

Agenda item number 8

## Peatland Discovery Grant update and Framework Procurement

Report by Director of Strategic Services and Director of Finance

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### Purpose

To update Members on the implications of the successful award of a Peatland Discovery Grant and consideration of the use of appropriate procurement frameworks given the very tight timescale and the nature of the work required.

### Broads Plan context

(Aspiration 1) 1.4 Investigate, plan and promote schemes to hold back or divert flood water, moving from retrospective to proactive approaches.

(Aspiration 2) 2.3: Maintain and enhance existing areas of priority habitat. 2.5 Create 'bigger, better and more joined up' areas of priority habitat. 2.6 Improve partnership coordination and communication of Broads biodiversity monitoring and research efforts.

(Aspiration 10): Build the awareness and adaptive capacity of local communities to the challenges of climate change and sea level rise. 10.1 Develop and promote tailored mitigation and adaptation measures.

Potentially additional priority actions than those listed above.

### Recommended decision

- i To note the update and,
  - ii Delegate to the Director of Finance the choice and use of appropriate procurement frameworks for the Nature for Climate Peatland Grant Scheme and other projects and amend the Authority's Standing Orders relating to Contracts to allow for this process.
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## 1. Update on the Nature for Climate Peatland Grant Scheme (NCPGS) Discovery Grant

- 1.1. In December 2021, a partnership led by the Broads Authority was awarded a new £785,668 grant which aims to restore peatlands in the Broads National Park, to help reduce emissions from peat, establish the process of restoring degraded peat and provide wider benefits such as improved ecosystems and biodiversity, better water quality, natural flood management, protection of historic environment features, and connecting people with nature. The [press release](#) was issued on 20 December 2021, and an [article](#) was published on the EDP. The Broads Authority unanimously approved the submission of the partnership bid with the Authority as the lead partner at its meeting on [23 July 2021](#).
- 1.2. The partnership will work across 13 sites in the Broads to find ways to reduce carbon emissions from drained peat soils, and restore wetland so that it captures more carbon. The first phase of the project until March 2023 will build capacity and capability in the Broads Peat Partnership with the land management sector. We will design peatland restoration projects, prepare bids for further public funding and develop a financial model to generate private revenue through sale of ecosystem services. A Peat Partnership Board has been formed with all partners and key stakeholders. These include Palladium, Norfolk Wildlife Trust, Suffolk Wildlife Trust, Natural England, RSPB, National Trust, Norfolk FWAG and various private landowners and supported by the Water Management Alliance, NFU, Norfolk County Council and the Environment Agency.
- 1.3. The aim is to develop detailed understanding of the 13 sites to ensure that we comply with future funding schemes and statutory permissions. Our studies funded as part of the Discovery Grant will include baseline monitoring, hydrological and ecological surveys and historic environment assessments. The Broads Authority is responsible for coordinating the procurement of the various activities across the identified sites.
- 1.4. The significant constraints on spending and timings (see Section 4) have prompted officers to research appropriate procurement processes for the delivery of the project. The NCPGS work program is included at appendix 1.
- 1.5. A second phase of the project could be funded through the Restoration Fund to start landscape-scale restoration work. The partnership would need to bid for the second phase project, based on the findings of the Discovery project.

## 2. Public sector procurement

- 2.1. Our Procurement Strategy provides the high-level framework for procurement at the Broads Authority. A key objective is to promote the acquisition and delivery of supplies and services by the most appropriate procurement route, thereby ensuring that value for money and quality are obtained at all times.
- 2.2. When defining the procurement approach for the NCPGS, officers assessed the range of procurement routes against the different activities in the Work Programme. As time is of the essence, standard routes for procurement have already been used for some straight forward and lower value tasks within the first phase of the work. Officers have also looked at the feasibility to use one or more new framework agreements, which other public sector bodies have instigated and to which the Authority is eligible to enter into. Engagement via such frameworks, would be more advantageous for the higher value, later phases of work which includes the hydrological investigations and definition of the engineering options for each site included in the NCPGS. The Authority has already used a Framework Agreement for the procurement of its legal services and insurance, and this approach is common in local authorities and public sector bodies.
- 2.3. The benefits of using a Framework Agreement are:
  - 2.3.1. Efficiency: the contractors used in the identified frameworks are used to working in the area, and their local teams have the experience of water and land engineering required for the project.
  - 2.3.2. Contractual deadlines: contracting through a framework shorten the time which would be necessary via standard procurement routes, and allows to meet the tight project deadlines.
  - 2.3.3. Experience: the expertise of the Authority's staff is limited in the fields of engineering design and assurance and applying for multiple and complex permissions under tight timeframes; in particular, and it would be time-consuming and costly to scope out the exact specifications for pricing.
  - 2.3.4. Add value: frameworks allow for preliminary discussion to co-define the scope of work with those undertaking the work. This facilitates the exact definition of the task and reduces costs.
- 2.4. A list of potential providers is being reviewed, and include **SCAPE**, the Environment Agency's Collaborative Delivery (**CDF**) and Client Support (**CSF**) Frameworks, and the Eastern Shires Purchasing Organisation (**ESPO**). These frameworks are used by other local government bodies in the region. For example, SCAPE is used by North Norfolk District Council and Coastal Partnership East, CSF is used by the Environment Agency's Broadland Asset Performance Team. It has been confirmed that the Broads Authority is eligible to enter into all of these frameworks.
- 2.5. Such frameworks adopt a client-led price setting approach for the offer and award of contracts. They are designed to deliver projects to the highest possible standard using

actively managed construction and consultancy to inject speed, greater confidence, and certainty into project delivery.

- 2.6. The value for money of each framework has been assessed by the public sector/local government bodies, with regular reviews.
- 2.7. By entering into a framework agreement, the benefits would not be limited to the NCPGS project. Other projects carried out by the organisation could use the arrangements, particularly in the construction, maintenance and ecology work areas.

### 3. Options appraisal

- 3.1. Options for more effective delivery. The three options below are available to us to deliver the NCPGS Discovery Grant.

Option 1: We continue as we are with current resources and existing procurement approaches.

Option 2: We recruit more staff to ensure we deliver our ambitious planned programme.

Option 3: Make more use of Frameworks as the route to market.

- 3.2. **Option 1:** Our existing resources are not sufficient to deliver the programme of work which needs to be achieved by the end of March 2023. Not doing so will be socially, economically and reputationally damaging.
- 3.3. **Option 2:** Whilst we could increase the expertise internally, with the current pressures in DEFRA funding climate, recruitment challenges, and Covid-19 impacts, it would not be easy to grow the team and would take time which we don't have.
- 3.4. **Option 3:** The framework option allows us to utilise existing procurement arrangements that other local government bodies are already using, and have gained confidence in their use. This is the preferred option, which allows a more strategic approach to include both large and small schemes. This would meet the needs of the large scale of spend required in 2022/23 for the NCPGS, and allow the Authority to call off contracts with suppliers, which would minimise the Authority's risk of under-delivery. More generally, the Authority would have immediate access to greater resources at times of need. One or more of the listed frameworks may be entered into, according to the services available therein.

### 4. Standing Orders Relating to Contracts (SORC)

- 4.1. The Authority's SORC already make provision to use Framework agreements under section 16. It currently states that:
  - a) A Framework Arrangement is a formal tendered arrangement which sets out terms and conditions under which specific purchases can be made throughout the term of the agreement, and supplies, services or works are procured from

the successful tenderer in predicted quantities at various times during the period that the agreement is in force.

- b) The Crown Commercial Services (CCS) has already put together a number of frameworks that the Authority can access. These frameworks cover a wide variety of areas from postage, to vehicles and insurance. The CCS have already tendered for these frameworks and completed the appropriate background checks. The individual frameworks provide details of the procedure to be followed.
- c) If at any time the Authority proposes to enter into any other type of Framework Arrangement for the provision of goods or services, then legal advice must be sought in respect of the procedures which need to be followed in the awarding and letting of the contract.

4.2. The advantage of using Framework agreements is that due to the size and scale of some tenders this would involve advertising in Find a Tender, previously the Official Journal of the European Union (OJEU). This can often be a costly and time-consuming exercise (between six and nine months) to fulfil these requirements and the Framework provider will have already completed this stage in order to be set up. Other advantages include savings user's money as more money is spent through it, flexibility in running mini competitions, thorough professional due diligence, pre-agreed terms and conditions and detailed easy to use guides, support and templates.

4.3. The proposal is to amend SORC to:

- b) Finance hold and publish on the intranet a list of frameworks that the Authority can access, this currently includes the Crown Commercial Services (CCS). These frameworks cover a wide variety of areas from postage, to vehicles and Insurance. Public sector organisations have already tendered for these frameworks and completed the appropriate background checks. The individual frameworks provide details of the procedure to be followed.
- c) If at any time the Authority proposes to enter into a Framework Arrangement for the provision of goods or services that is not on the list in b), then the Director of Finance will agree and update the list and advise on the procedures which need to be followed in the using the framework.

## 5. Financial implications

- 5.1. The budget for the NCPGS is £795,668, including a £10,000 cash contribution by the Broads Authority. The remaining £785,668 is funded by Natural England. The majority of the expenditure will be outsourced and procured.
- 5.2. The end of the project is March 2023, by which time the Discovery Grant project will close.

## 6. Risk implications

- 6.1. A risk register was developed as part of the submission of the NCPGS bid. It will be updated at the next Peat Partnership Board scheduled 27 January 2022.

## 7. Conclusion

- 7.1. The Peat Partnership Board will monitor the high-level progress and risks of the NCPGS, and will include officers from all the main partner organisations; it will be chaired by the Director of Strategic Services. The internal board, which will monitor progress and decide on the route to market for the various activities, comprises the Chief Executive, the Director of Finance, the Director of Strategic Services, the Head of Construction, Maintenance and Ecology, and the Environment Policy Adviser. It is crucial that each activity is considered on its merits and the best route to market is adopted, to aim for an efficient and effective delivery of the Broads objectives.
- 7.2. Having assessed the options, making use of Framework arrangements is a cost-effective method to deliver 'more for less'. This option allows officers to deliver on key projects.

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Background papers: [Nature for Climate Peatlands Discovery Grant \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/nature-for-climate/peatlands-discovery-grant)

[Broads Plan](#) strategic actions: 1.4, 2.3, 10.1

Appendix 1 – NCPGS Work Programme

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Phase	Activity	Lead	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Project kick off and management	Project inception meetings and workplan	AK																	
	Services agreement and start up admin	AK/MT																	
	Recruitment of Project Team	AK/MT																	
	Coordination of project meetings	AK																	
	Develop stakeholder engagement & partnership	AK			26th														
First phase site assessments	Engagement – focus on land managers and farmers (A)	NP/AK			26th														
	Hydrology (B)	AK																	
	Protected Species – water vole study (Di)	AK																	
	Historic Environment Assessment (E)	AK																	
	Peat and Vegetation survey (Fi, Fii)	AK																	
	Monitoring and Restoration plans (Hi, Hii)	AK																	
Second phase site assessments	Engineering (C)	PM																	
	Protected Species – molluscs, water voles, reptiles (Dii)	PM																	
	Permissions (G)	PM																	
Palladium	Develop financial model, validate sites, engage (J)	SD																	
Broads peat survey	Completing the whole Broads peat survey and analysis of landuse and water table (I)	AK																	