

**Decision Session - Executive Member for
Environment and Climate Change**

7th April 2021

Report of the Director Environment, Transport and Planning

Friends of St Nicolas Fields Service Level Agreement

Summary

1. This report seeks approval for three year funding agreement from 1st April 2021 to 31st March 2024 for Friends of St Nicholas Fields.

Recommendation

2. The Executive Member is asked to approve the funding award set out in paragraph 6 and the associated service level agreement (SLA) set out in Annex 1.

Reason: To increase the wellbeing and quality of life of York residents.

Background

3. In accordance with national best practice the Council has previously negotiated three year partnership funding agreements with significant infrastructure and cultural organisations in York. This SLA mirrors others that the Executive Member for Culture, Leisure and Communities Environment is considering at this time.
4. Friends of St Nicholas Fields (“the Friends”) have held a series of SLA’s from the authority going as far back as 1994. The core requirements are to:
 - Manage and maintain the 24 acre St Nicholas Fields Local Nature Reserve
 - Provide York residents with year round access to the green space
 - Offer environmental education services
 - Offer advice regarding environmental and conservation issues

5. The Friends have complied with the 2018-21 SLA. The SLA is a catalyst to the Friends being able to access funding and to achieve key achievements and projects, including:
- Over 44,400 people per year engaged through events, ecotherapy, volunteering, schools and heritage skills training, including over 7,700 hours of volunteering time donated. Over 90 local professionals and key volunteers in the sector trained.
 - Continue to meet the Community Green Flag award, 2020 being the 10th anniversary of their first award.
 - Secured £142,300 grants over the past three years solely on greenspace work.
 - Maintained the Nature Reserve status and recorded over 1,040 recoded species of flora and fauna on-site including 17 key indicator species (including water voles and tansy beetle). This includes new species for North Yorkshire discovered on St Nicks.
 - Increased their activities and presence beyond the Nature reserve. 19 off-site projects have been enabled by having St Nicks as a base. e.g.
 - Water vole monitoring and habitat management
 - Developing mink monitoring and control strategy for the Foss catchment
 - Urban river catchment restoration
 - Grassland Management training and practical management
 - Support the City Council in the restoration of Osbaldwick Beck in Hull Road Park (ongoing)

Funding

6. It is proposed to offer the Friends of St Nicholas Fields £23,008 per year for three years. This is the same level as previous years and mirrors the freeze in service budgets for this type of activity.
7. The proposed SLA is attached as annex 1.

Options and analysis

8. The principal options open to the Executive Member are to:
 - Determine whether to make the award recommended
 - Ask officers to explore additional aspects to the SLA Agree the 3 year term or suggest an alternative length.

Council Plan

9. This proposal supports and contributes to the following Council Plan priorities
 - good health and wellbeing
 - a better start for children and young people
 - a greener and cleaner city
 - safe communities and culture for all

Implications

10. **Financial** - The funding offered is within existing budget provision.
11. **Public Health** – “Access to open spaces ... has direct and indirect impacts on people’s physical and mental health, but can also enable people to build social capital” (Kings Fund)

Legal

12. It is noted that the nature reserve is currently leased to the Friends for a period of 99 years from 1st June 2014, therefore there is an ongoing relationship between the Council and the Friends in respect of their use of the site.
13. Where any payment of any grant funding is being considered, the new subsidy control regime (formerly State Aid) must be taken into account. This regime would apply where financial assistance is provided by a public authority, such as the Council, and confers an economic advantage on one or more economic operators over any others. There must also be an element of interference with trade either between the UK and EU, or otherwise internationally.
14. Although it is possible for charities to be considered economic operators where they act commercially, in this instance the intended purpose of the activities undertaken by the Friends is the general benefit of the public and improvement of local green space rather than generating profit for the charity’s own benefit. It is

therefore unlikely that providing grant funding for the stated purposes will be caught by the new subsidy control regime.

15. When providing grant funding, it will also be necessary to ensure that sufficient provisions are inserted into any agreement enabling the Council to claw back monies paid (or terminate future obligations to pay) in the event that the Friends use any part of the funding for purposes other than those which are specifically approved.
16. There are no Property, Human Resources, Crime and Disorder, or Information Technology implications arising from this report.

Risk Management

17. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to the inability to meet business objectives and failure to meet stakeholders' expectations, which could in turn damage the Council's image and reputation. Measured in terms of impact and likelihood, the risk score has been assessed at "Low". This means that the risk level is acceptable.

Contact Details

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Report Approved	√	Date: 25.03.21
Specialist Implications Officer(s): Legal – Helen Mitchell, Senior Legal Officer (ext. 4087) Finance - Patrick Looker, Finance Manager		
Wards Affected:	All	√
For further information please contact the author of the report		

Background Papers:

None

Annex 1 – Service Agreement for Friends of St Nicholas Fields 1st April 2021 to 31st March 2024, with option to extend to 31st March 2026