

BIRMINGHAM CITY COUNCIL

CABINET MEMBER AND CHIEF OFFICER

WEDNESDAY, 12 MAY 2021 AT 00:00 HOURS
IN CABINET MEMBERS OFFICE, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 - 12 1 **STANVILLE PRIMARY SCHOOL CAPITAL MAINTENANCE - FULL**
BUSINESS CASE & CONTRACT AWARD

13 - 22 **INTRODUCTION OF VIRTUAL FENCING AT SUTTON PARK NATIONAL**
NATURE RESERVE

Report of Acting Director - Neighbourhoods

Birmingham City Council

Report to Cabinet Members Education, Skills & Culture and Finance & Resources

12 May 2021



Subject: STANVILLE PRIMARY SCHOOL CAPITAL MAINTENANCE – FULL BUSINESS CASE AND CONTRACT AWARD

Report of: Kevin Crompton, Interim Director for Education & Skills

Relevant Cabinet Member: Cllr Jayne Francis - Education, Skills and Culture
Cllr Tristan Chatfield - Finance and Resources

Relevant O & S Chair(s): Cllr Kath Scott - Education & Children's Social Care
Cllr Sir Albert Bore - Resources

Report author: Zahid Mahmood,
Capital Programme Manager,
Education Infrastructure,
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Email Address: zahid.mahmood@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): SHELDON		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 To seek approval for the capital scheme at Stanville Primary School. The capital costs of the scheme will not exceed £625,802.

2 Recommendations

That the Cabinet Members for Education, Skills and Culture and for Finance and Resources:

- 2.1 Approve the capital works at Stanville Primary School at a total project cost of up to £625,802, including Acivico professional fees (£77,906) and Education Infrastructure fees (£18,227).
- 2.2 Approve the Full Business Case appended to this report.
- 2.3 Authorise Acivico Ltd to place orders with Dodd's Group Ltd, up to the value of £457,669 for the works to commence, and to release contingencies and place further orders up to £72,000 if required.
- 2.4 Approve the value of £77,906 to Acivico for professional services and statutory fees.
- 2.5 Authorise the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 The Local Authority has a statutory duty to maintain its schools in order to ensure children have a safe and secure teaching environment.
- 3.2 Stanville Primary School has encountered persistent problems with leaks from its heating distribution system. Following detailed investigative works, it was discovered that the existing pipe work is significantly aged and corroded.
- 3.3 Repairs have been made to the leaking areas so that costs and disruption to the school are minimised and to ensure operational continuity. However, the existing pipework is in such poor condition that leaks have occurred elsewhere in the system. This has already caused a partial closure in 2019 to repair a severe leak in a sealed floor duct that included Asbestos Containing Materials (ACMs).
- 3.4 Phases 1, 2 & 3 have already been undertaken to replace the failed early years boiler, nursery boiler and the primary school's main boiler, including an asbestos removal process.
- 3.5 The total cost for phases 1, 2 & 3 amounted to £435,406 and approval was provided by the Director of Education & Skills through an emergency form of authority.
- 3.6 The overall project was split into phases to avoid major disruption to operations at the school and due to the cost of the collective works being too high to fund together. Phases 1, 2 & 3 were completed between April and September 2020.
- 3.7 The proposed works are to carry out a phase 4 replacement of the primary school's entire distribution system, which is the final phase of the project.
- 3.8 The works are scheduled (subject to approval) to commence on 17th May 2021 and are anticipated to be completed by 3rd December 2021.

4 Options considered and Recommended Proposal

- 4.1 Doing nothing would mean the City Council would fail to meet its statutory obligation to maintain the school and provide a safe, secure and warm environment for the pupils at Stanville Primary School.
- 4.2 An attempt was previously made in January 2020 to carry out repairs to the existing heating system and to remove asbestos, however the pipework is currently too badly corroded to make successful long-term repairs. Further leakage could result in an emergency for the school and increases the possibility of additional closures.
- 4.3 The recommended option is to completely replace the distribution system, which will ensure the heating system works at the highest efficiency possible and reduces energy costs in the long-term. Once installed the new distribution system should provide a life span of more than 40 years and ensure educational continuity for the school, while minimising potential disruptions caused by emergency leaks.

5 Consultation

- 5.1 The Head teacher and governors at Stanville Primary School have been consulted and are fully supportive of the scheme.

6 Risk Management

- 6.1 Risks have been considered as part of the design process. A contingency sum has been allocated to the project as referenced in section 2.2
- 6.2 Working in a live building and ensuring Health & Safety is maintained. As the designated project manager, Acivico have many years' experience at delivering large scale heating replacements of this nature and will safely co-ordinate the works in consultation with the school and EDI.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 These works are to ensure that all pupils are provided with a safe and secure teaching environment. The spending priorities proposed are in accordance with the Schools' Capital Maintenance Programme approved by Cabinet on 21st April 2020, and the Council's Vision and Forward Plan priorities for Children.
- 7.1.2 The value of the proposed contract is below the threshold of £1m for works, and there is not the requirement for a BBC4SR action plan to be produced. However, the payment of the Real Living Wage will be a mandatory requirement for contractors.

8 Legal Implications

- 8.1.1 This report facilitates the discharge of functions contained within section 22 of the School Standards and Framework Act 1998 whereby the local authority has a duty to maintain its schools; this includes expenses relating to premises.

8.2 Financial Implications

- 8.2.1 The works will be funded from the Schools' Capital Maintenance allocation. See section 2.
- 8.2.2 Consequential revenue costs arising that includes the need for additional staffing and any on-going day-to-day repair and maintenance of the asset, will be the responsibility of Stanville Primary School and funded from the school's delegated budget.

8.3 Procurement Implications (if required)

- 8.3.1 The procurement of this contract has been undertaken and managed by Acivico Ltd.
- 8.3.2 The procurement route for delivery of this scheme was via Acivico's CWM2 Repairs & Maintenance Contract. The contractor recommended for award is Dodds Group Ltd and will work with Acivico who are acting as Project Manager.
- 8.3.3 The works were procured by Dodds Group Ltd as part of the initial capital programme that was approved in July 2020. The project was split into four phases due to financial restrictions and to minimise the impact on the school. Phases 1, 2 and 3 were to replace the existing boiler plant in the nursery, early years building and main plant room. The boiler replacement works in the main plant room also included set up of phase 4, which is to replace the heating distribution pipework and radiators. Approval for phase 4 is now sought.

8.4 Public Sector Equality Duty

- 8.4.1 A Full Equality Analysis is not required for this project as the works are focussed on capital maintenance.

9 Appendices

- 9.1 Stanville Primary School Full Business Case.

10 Background Documents

- 10.1 Schools' Capital Programme - School Condition Allocation 2020-21.

APPENDIX

FULL BUSINESS CASE (FBC)

A. GENERAL INFORMATION

A1. General

Project Title (as per Voyager)	STANVILLE PRIMARY SCHOOL CAPITAL MAINTENANCE – FULL BUSINESS CASE		
Voyager code	CA-02072-02-2-473		
Portfolio /Committee	Education, Skills & Culture	Directorate	Education and Skills
Approved by Project Sponsor	Zahid Mahmood	Approved by Finance Business Partner	

A2. Outline Business Case approval (Date and approving body)

STANVILLE PRIMARY SCHOOL CAPITAL MAINTENANCE – FULL BUSINESS CASE AND CONTRACT AWARD

A3. Project Description

The project involves the initiation of phase 4 boiler and heating repairs to fix a persistent problem with the school's heating distribution system. Phases 1, 2 & 3 have been undertaken to replace the failed early years boiler, nursery boiler and the primary school's main boiler. Further work is now required to replace the primary school's entire heating distribution system to ensure operational continuity.

A4. Scope

The scope of works includes the following:

Removal of Asbestos as Report, carried out by Central Environmental;
 Replacement of Distribution Pipework, boxings to vertical drops;
 Replacement of Eighty Eight Radiators & Four Fan Convectors and associated works;
 All necessary pipework, fittings and valves in mild steel with malleable iron fittings;
 All associated electrics;
 All associated building works;
 Pressure testing and commissioning of the system.

A5. Scope exclusions

No works outside this scope will be undertaken

B. STRATEGIC CASE

This sets out the case for change and the project's fit to the Council Plan objectives

B1. Project objectives and outcomes

The case for change including the contribution to Council Plan objectives and outcomes

- Council Business Plan and Budget 2020+;
- A Fair City: Tackling Inequality and Deprivation;
- Laying the foundations for a Prosperous city based on an inclusive economy;
- A Democratic City involving local people and communities in the future of their local area and public services: a City with local services for local people;
- Enjoy and achieve by attending school;
- Schools Capital Programme

B2. Project Deliverables

These are the outputs from the project eg a new building with xm2 of internal space, xm of new road, etc

To ensure operational continuity and the minimisation of long-term disruption at Stanville Primary School by completing phase four of a project to install a new heating distribution system, as the existing pipework is in poor condition.

Partial repairs have been carried out intermittently to ensure the existing heating system does not fail completely. The proposed works for phase 4 will consist of replacement of the following: distribution pipework; eighty-eight radiators; four fan convertors and controls associated with electrical works. Allowances for testing for asbestos and its removal if detected.

B3. Project Benefits

These are the social benefits and outcomes from the project, eg additional school places or economic benefits.

Measure	Impact
<i>List at least one measure associated with each of the objectives and outcomes in B1 above</i>	<i>What the estimated impact of the project will be on the measure identified – please quantify where practicable (eg for economic and transportation benefits)</i>
To allow continuation of operations at Stanville Primary School.	Completing phase four of the heating and boiler repair project will minimise disruption to pupils at Stanville School in the long-term, and it allows the Council to meet its statutory obligations for schools conditions.
Support and enrich learning opportunities for children and young people.	On completion of the programme of works, children and young people will have a safe, warm and dry environment before, during and after school hours.
Promoting designs which support Birmingham's Education Vision.	Installing a fully functional boiler and heating repair system will enhance teaching and learning environments that are suitable for delivering education.

B4. Benefits Realisation Plan

Set out here how you will ensure the planned benefits will be delivered

The planned benefits will be delivered following completion of phase 4 of the heating distribution system.

B5. Stakeholders

A stakeholder analysis is set out at G4 below.

C. ECONOMIC CASE AND OPTIONS APPRAISAL

This sets out the options that have been considered to determine the best value for money in achieving the Council's priorities

C1. Summary of options reviewed at Outline Business Case

(including reasons for the preferred option which has been developed to FBC)

If options have been further developed since the OBC, provide the updated Price quality matrix and recommended option with reasons.

- The option of doing nothing would mean the City Council failing to meet its statutory obligation to ensure that pupils at Stanville School are able to continue their learning without disruption or adequate heating.
- The recommended option is to completely replace the distribution system, which will ensure the heating system works at the highest efficiency possible and reduces energy costs in the long-term. Once installed the new distribution system should provide a life span of more than 40 years and ensure educational continuity for the school, while minimising potential disruptions caused by emergency leaks.

C2. Evaluation of key risks and issues

The full risks and issues register is included at the end of this FBC

- Risks have been considered as part of the design process and a contingency sum of £72,000 has been allocated to the project.
- Regular meetings are held to ensure that all parties are informed of progress to ensure any concerns are picked up at the earliest opportunity and resolved to ensure that the programme stays on track.
- Temporary repairs have been carried out to ensure the school remains operational and to provide educational continuity, whilst Birmingham City Council meets its statutory obligations.
- Working in a live building and ensuring Health & Safety is maintained. As the designated project manager, Acivico have many years' experience at delivering large scale heating replacements of this nature and will safely co-ordinate the works in consultation with the school and EDI.
- A project risk register will be maintained.

C3. Other impacts of the preferred option

Describe other significant impacts, both positive and negative

- Attempts have previously been made to carry out repairs to the heating system, however the pipework is currently too badly corroded to make successful long-term repairs. Further leakage could result in an emergency for the school and increases the possibility of further closures.
- Completion of the heating distribution system at Stanville Primary School will ensure Pupils are not disrupted from their education needs.

D. COMMERCIAL CASE

This considers whether realistic and commercial arrangements for the project can be made

D1. Partnership, Joint venture and accountable body working

Describe how the project will be controlled, managed and delivered if using these arrangements

Scheme will be delivered by Project Team as follows:

- Client for the project is Birmingham City Council.
- Project Manager services will be provided and carried out by Acivico.
- The end user will be Stanville Primary School.
- Regular 2 – 4 weekly meetings will be held with the project team, including client and the end user.
- Programme will be monitored and developed to ensure that required timescales are achieved.
- Scheme costs are to be continually assessed, developed and monitored.

D2. Procurement implications and Contract Strategy:

What is the proposed procurement contract strategy and route? Which Framework, or OJEU? This should generally discharge the requirement to approve a Contract Strategy (with a recommendation in the report).

The procurement of this contract has been undertaken and managed by Acivico Ltd.

The procurement route for delivery of this scheme was via Acivico's CWM2 Repairs & Maintenance Contract. The contractor recommended for award is Dodds Group Ltd and will work with Acivico who are acting as Project Manager.

The works were procured by Dodds Group Ltd as part of the initial capital programme that was approved in July 2020. The project was split into four phases due to financial restrictions and to minimise the impact on the school. Phases 1, 2 and 3 were to replace the existing boiler plant in the nursery, early years building and main plant room. The boiler replacement works in the main plant room also included set up of phase 4, which is to replace the heating distribution pipework and radiators.

D3. Staffing and TUPE implications:

None

Capital Costs & Funding	Voyager Code	Financial Year	Totals
		2021/22	
Expenditure			
Stanville Primary School	CA-02073-02-2-473		
Construction costs, incl. Surveys, Investigations, & Statutory Fees		£529,669	£529,669
Acivico Fees		£ 77,906	£ 77,906
EDSI Capitalisation		£ 18,227	£ 18,227
Total Project Cost Excluding VAT		£625,802	£625,802
Funding sources			
Schools Condition Allocation (SCA)		£625,802	£625,802
Totals		£625,802	£625,802

E2. Evaluation and comment on financial implications:

The current costs for the project are based on tendered costs received in January 2021.

E3. Approach to optimism bias and provision of contingency

Contingency of £72,00 has been afforded and included in the total project cost, if required.

E4. Taxation

Describe any tax implications and how they will be managed, including VAT

N/A

F. PROJECT MANAGEMENT CASE	
<i>This considers how project delivery plans are robust and realistic</i>	
F1. Key Project Milestones	Planned Delivery Dates
<i>The summary Project Plan and milestones is attached at G1 below</i>	
Cabinet Member Approval	17 th May 2021
Main Construction works	May 2021 – December 2021
Practical completion	December 2021
F2. Achievability	
<i>Describe how the project can be delivered given the organisational skills and capacity available</i>	
<ul style="list-style-type: none"> • Scope of work identified as in the project description. • Extensive site investigation carried out. • Project programme and costs have been developed. • Funding is in place. • Contractors have considerable previous experience. • Phases 1, 2 and 3 of the project have been completed without issue. • Similar projects have been delivered on budget and to time by the project team. 	
F3. Dependencies on other projects or activities	
<ul style="list-style-type: none"> • Prior phases of the programme have been completed. • Landlord approval has been granted for the project. 	
F4. Officer support	
Project Manager:	Zahid Mahmood 07860906126 Capital Programme Manager, Education Infrastructure zahid.mahmood@birmingham.gov.uk
Project Accountant:	Jaspal Madahar 07766922478 Finance & Resources Manager jaspal.madahar@birmingham.gov.uk
Project Sponsor:	Jaswinder Didially 07825 117334 Head of Education Infrastructure jaswinder.didially@birmingham.gov.uk
F5. Project Management	
<i>Describe how the project will be managed, including the responsible Project Board and who its members are</i>	
As per D1	

G. SUPPORTING INFORMATION
<i>(Please adapt or replace the formats as appropriate to the project)</i>

G1. PROJECT PLAN
<i>Detailed Project Plan supporting the key milestones in section F1 above</i>
<p>The project plan will be outlined by Acivico who are operating as the project manager and the chosen contractor prior to the works starting to minimise disruption to the school and to ensure the project is completed within the estimated completion time of thirty weeks.</p>

G2. SUMMARY OF RISKS AND ISSUES REGISTER

Risks should include Optimism Bias, and risks during the development to FBC

Grading of severity and likelihood: High – Significant – Medium – Low

		Risk after mitigation:	
Risk or issue	Mitigation	Severity	Likelihood
Delayed start date due to approval process	Attempts will be made to progress the Cabinet report and FBC in time for a start date of May 1 st .	High	Medium
Building costs escalate	The project team will closely monitor the schedule of works and build costs. Cost schedules include contingency sums. Any increase in costs will need to be met through value re-engineering to ensure projected spend remains within overall allocation	Low	Medium
Building works fall behind	The project team will closely monitor schemes on site and liaise with Contractor Partners to identify action required.	Medium	Medium
BCC faced with increasing revenue costs	Consequential revenue costs arising including additional staffing, utility costs and any on-going day to day repair and maintenance of the asset will be the responsibility of the school. Any increase in revenue costs will be offset by an increase in income through increased pupil numbers provided by the DfE.	Low	Low
Impact of the Covid-19 pandemic on the delivery of the construction project.	None at present.		

G3. EXTERNAL FUNDING AND OTHER FINANCIAL DETAILS

Description of external funding arrangements and conditions, and other financial details supporting the financial implications in section E1 above (if appropriate)

N/A

G4. STAKEHOLDER ANALYSIS

Stakeholder	Stake in project	Potential impact on project	What does the project expect from stakeholder	Perceived attitudes and/or risks	Stakeholder management strategy	Responsibility
Cabinet Members for ES&C and F&R	Strategic Overview of DGCF expenditure	High	Approval of Cabinet report and expenditure for project.	Strategy not approved	Early Consultation and Regular Briefing on all aspects of Special Provision	BCC / EDI
School's Consultant Partners	Design and Delivery	High	To support delivery and programme management.	Unable to design to budget Unable to deliver to timescales	Close working with other stakeholders Regular feedback	School Leadership Team
School Leadership Team / Governors	Governing Body Agreement and End Users	High	Compliance with GBA Ongoing Revenue costs for R&M once build complete	N/A	Governing Body Agreement signed and regular project meetings	School Leadership Team / Governing Body EDI Project Officer
Pupils	End user	Low	Consultation	Nil	Through schools council	School Leadership Team
Ward Councillors	Knowledge of other developments affecting local communities that may link into project	High	Consultation with community and support for project	Objections from local residents	Involve in consultation and planning permission process	EDI Project Officer Governors/ School Leadership Team

G5. BENEFITS REGISTER

For major projects and programmes over £20m, this sets out in more detail the planned benefits. Benefits should be monetised where it is proportionate and possible to do so, to support the calculation of a BCR and NPSV (please adapt this template as appropriate)

Measure	Annual value	Start date	Impact
<i>List at least one measure associated with each of the outcomes in B1 above</i>			<i>What the estimated impact of the project will be on the measure identified</i>
(A) Monetised benefits:	£		
(B) Other quantified benefits:			
(C) Non-quantified benefits:	n/a		

Other Attachments

provide as appropriate

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Birmingham City Council

Report to Cabinet Member for Street Scene and Parks

12th May 2021



Subject: Introduction of Virtual Fencing at Sutton Park National Nature Reserve

Report of: Acting Director - Neighbourhoods

Relevant Cabinet Member: Councillor John O'Shea: Street Scene & Parks

Relevant O &S Chair(s): Councillor Penny Holbrook: Homes & Neighbourhoods.

Report author: Joe Hayden – Parks Services Manager
0121 675 0936
joe.hayden@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Sutton Vesey		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

Executive Summary

- 1.1 Sutton Park National Nature Reserve (NNR) has been managed traditionally using grazing and forestry practices for centuries. The continuity of these sustainable methods of management are integral to the past, present and future condition of the site. The presence of grazing animals (cattle and ponies) adds to the diversity of landscape through their grazing patterns.

- 1.2 Grazing has shaped, and continues to be a vital part of, the heathland character of the National Nature Reserve and its continuation is essential to the condition of the Site of Special Scientific Interest (SSSI). Traditionally the grazing season is during the summer between April and October but can vary according to the weather and availability of stock.
- 1.3 Following a review of existing grazing practices on site at Sutton Park in 2017 (and a review of developments adopted elsewhere in this country and abroad) the potential for introducing virtual grazing technology was identified as a means to better manage grazing for the benefit of the cattle (animal welfare), ecology, archaeology, visitor interaction, and stakeholder interests at Sutton Park.
- 1.4 The technology is tested and capable of being deployed successfully on an NNR and SSSI site.

2 Recommendations

That the Cabinet Member:

- 2.1. Notes the content and background within this report and supporting information

3 Background

- 3.1 Sutton Park National Nature Reserve (NNR) has been managed traditionally using grazing and forestry practices for centuries. The continuity of these sustainable methods of management are integral to the past, present and future condition of the site. The presence of grazing animals (cattle and ponies) adds to the diversity of landscape through their grazing patterns. Their visual presence enhances the perception of the landscape, being reminiscent of landscapes of the Midlands in the 17th and 18th century where unenclosed grazing was more characteristic. It has shaped, and continues to be a vital part of, the heathland character of the Reserve and its continuation is essential to the condition of the Site of Special Scientific Interest (SSSI). Traditionally the grazing season is during the summer between April and October but can vary according to the weather and availability of stock.
- 3.2 The Sutton Park Management Plan outlines that low intensity grazing is a suitable means of managing areas of dry heath. Generally, areas of wet heath require limited management, but light grazing may also be useful. Selectively feeding in different areas and on different plants, free-roaming livestock help to maintain variation in the vegetation composition and structure and can suppress scrub encroachment. Grazing with cattle or hardy ponies is an acceptable method of management, although care must be taken to avoid damage to the heather by trampling. An appropriate stocking rate should take into account local conditions and the timing and length of grazing, but an off-take of between 30-40% of the current growth increment is desirable. Heavy grazing should be avoided on dry and wet heath. The recommended rate found in the objectives of the plan is of 1 cattle per hectare over 24-week grazing period. The actual level has fluctuated due to external issues such as foot and mouth, changes in subsidies and the commercial value of beef cattle.

- 3.3 Sutton Park NNR has had continuous grazing and staff have built a strong relationship with our graziers over the years. An agreement currently exists between Birmingham City Council and a single grazer, who supplies up to 160 cattle per year to graze the southern portion of Sutton Park below the railway line that splits the site into two unequal halves, around 600 hectares. The breed of cattle is important as is the breeding status, gender, size and health of the herd. The herd is inspected by Council officers from the local Ranger team and Birmingham City Council Animal Welfare Officers prior to arrival at the farm of origin, currently in Aldridge. A range of checks are made including checking tags against passports, valid insurance, vet details, medication records and ensuring that the cattle have been owned on the holding for at least 28 days prior to their arrival. Contact details are confirmed as correct in case of any issues that are reported during their stay in the park.
- 3.4 Across the site 6,500 Linear Metres (LM) of external boundary and over 2,100 LM of internal boundary features exist, used to control the movement of cattle. This does not include the length of wall between the park and the Four Oaks Estate and the length of railway boundary which is a further 3,300 LM accumulating to a total of nearly 13km (8miles) of physical boundary to enclose the area of cattle grazing. These features are static and prevent the animals from escaping and offer spaces for the public that are ungrazed to reduce zoonotic infection such as E.Coli. The upkeep of these structures is resource heavy in both financial and staff time. The upkeep of this infrastructure and the overall management of Sutton Park demonstrates the commitment of parks officers, staff and volunteers to the continuance of grazing.
- 3.5 In 2017 local representatives from Birmingham City Council were approached by Sutton Coldfield Golf Club to discuss the movement of cattle across the course. The Golf Club has existed in the park for over 125 years and is a tenant on the western side of the site. The Golf Club goes to great lengths to try and limit the grazing animals wandering over the course, with both physical wires and keeping grass cut short along the edge of fairways. However, each year, thousands of pounds of damage are caused by cattle on the golf course.
- 3.6 After conducting an investigation into what modern technologies were available it became apparent that virtual fencing was the only technology capable of being deployed successfully on an NNR and SSSI site. It was clear from the outset that a virtual fencing system offered many advantages to all stakeholders in the park, through visibility and control of grazing patterns throughout the park, improving the quality of the historic heathland and woodland, and improving animal welfare.
- 3.7 A meeting between the golf course, grazer, animal welfare officers and local parks management was convened in November 2017. A subsequent presentation was given to the Sutton Park Advisory Committee in December 2017. It was agreed at both meetings that it would be worthwhile to proceed as the positive benefits of the system would go far beyond just the protection of the golf course features. From the outset, the Golf Club determined that it would pay for the purchase, installation and running costs of the system.

4 Options considered and Recommended Proposal

- 4.1 There are a number of existing technologies to manage an area in which livestock are contained within.
- 4.2 Traditional fencing is costly, static, and requires upkeep and dependent upon the style and height can be bypassed by persistent animals.
- 4.3 Electric fencing is quicker and cheaper to set up, delivering a charge upon impact which deters animals from leaving an enclosure. The power required, use of large batteries on site and its indiscriminate shock result in this technology being impractical within a public park.
- 4.4 Invisible fencing has been used across the country over the last 10 years and eliminates the need for above ground structures. Instead, a buried wire provides a signal to a collar worn by the cattle. Initially the animal receives an audible cue to alert it to the presence of the invisible fence. If the animal continues to the line of the invisible fence a mild electric pulse is delivered from the collar. Cattle have been shown to quickly learn where the invisible fences are positioned and to turn back on the audio cue without the need to deliver an electric pulse. More than 35 invisible fence systems have been sold in the UK, predominantly to local authorities in conjunction with Natural England, and typically onto common land and heathland sites like Sutton Park. Over 400 cattle have been fitted with collars on these sites, and have been featured twice on the BBC Countryfile programme. There is widespread acceptance of these systems. However, this technology is static, and would result in kilometres of wire being buried underground in a Scheduled Ancient Monument (SAM). This makes invisible fencing technology a non-starter for Sutton Park.
- 4.5 Shock collars, using technology developed to control dogs, have never been applied to cattle due to animal welfare concerns.
- 4.6 Virtual fencing is a new technology that has no physical structure above or below ground, instead a GPS satellite tracks the animal from a collar worn around neck of the animal. The collar receives the positioning of a virtual fence line transmitted from a base station. As with invisible fencing, the animal receives an audible cue from the collar as it approaches a fence line, followed by an electric pulse if the animal reaches the fence line. If an animal is chased through the fence line, the virtual fence system automatically extends the fence out to encompass the animal. Provided the animal walks back, no further audio cues or pulses are given and the fence line returns to the original position. Two companies have developed virtual fencing systems and both have started extended trials in 2020.
- 4.7 The system recommended for Sutton Park is from Agersens, a privately owned business based in Melbourne Australia. Agersens have demonstrated a key lead in collar power management, which has proven the main obstacle in developing a commercial system over the last four years.

5 Consultation

- 5.1 Stakeholders were introduced to the virtual grazing system through the meetings held in 2017 in particular through the Sutton Park Advisory Committee with additional updates consequently.
- 5.2 Key stakeholders include:
- 5.3 Historic England - As there is no disturbance to above or below ground archaeology Historic England as the statutory body overseeing the SAM have no concerns over the introduction of the system.
- 5.4 Natural England - Natural England have been supportive of the idea due to the potential benefits of manipulating the grazing regime to improve the condition of notified features of the SSSI and have recently confirmed that there will be no formal consent required within the SSSI.
- 5.5 Animal Welfare - Animal Welfare have responded comprehensively with the following information:
- 5.6 Benefits
- 5.7 Traditional electric fencing has been used to contain animals for years – the shock delivered by the collars is less than that from an electric fence.
- 5.8 The cows received a warning sound before receiving the shock – there is no such warning with an electric fence, therefore the system is more animal friendly.
- 5.9 The software behind the system can provide an alert if a cow does not move within 30-40 minutes – a fantastic facility to very quickly identify an animal that is in distress/ill/caught up or has died.
- 5.10 Should it be reported by a member of public that a cow is injured or diseased – then the animal can quickly be found (especially if the ear tag or unique number on the collar is taken). Currently it can take some time to find a cow after such a report is received. This will allow any necessary veterinary treatment to be administered much more quickly, or alternatively it can facilitate in the quick removal of a cow from the site if needed. This is such a huge animal welfare improvement in managing the cattle in the park that it outweighs any animal welfare concerns (though I believe these are more public perception issues and we need to provide good information to the public).
- 5.11 Traditional electric fencing poses a threat to wildlife, especially deer – this system does not affect any other wildlife and allows them to move freely without risk.
- 5.12 Safety Features
- 5.13 There is an 'auto-shutdown' facility, so in the unlikely event that an animal 'goes down' or gets stuck in some way at the fence line, the animal will not continue to be shocked.
- 5.14 The shock cannot be delivered remotely – it is completely led by animal behaviour and only occurs if they ignore the audible warning and continue to the virtual fence

line. The misuse of users/handlers administering shocks unnecessarily (as seen with the use of shock collars on dogs) is why the shock collars on dogs have a bad reputation.

- 5.15 The weight of the collars are in line with those traditionally used on cows in the Alpine regions (complete with bells).
- 5.16 These type collars and systems have been used across the country for conservation grazing and there are no animal welfare issues reported that I am aware of. I have also spoken to the vet from 608 Vet Group, who we use for the cattle in the park and also sent him a photo of the cows fitted with the collars. He did not express any particular concerns other than a slight worry that a cow could get caught up with the collar. Clearly this would be quickly identified by the alert system as detailed above.

6 Risk Management

- 6.1 The short pulse delivered from the collar is much milder than that from an electric fence and is designed to be uncomfortable rather than painful. Cattle receiving the pulse do not become agitated but simply turn away from the fence. Cattle are trained beforehand in a controlled environment and have been shown to quickly learn to respond to the audible cue without the need to deliver a pulse.
- 6.2 The system has a number of animal welfare protections, including timeouts, automatic shutdowns and alert notifications to the farmer. All of these are designed to prevent an animal from receiving excessive pulses. The system only responds to animal behaviour; there are no manual over-rides and the farmer cannot deliver pulses remotely.
- 6.3 In order to better manage the welfare of the animals, in the event of sickness or becoming lame, if an animal does not move for 30 to 45 minutes, the system will send an alert to the farmer.
- 6.4 Currently when a sick or lame animal is reported to the farmer, he first has to search for and find the animal concerned. With a virtual fence system, the farmer can precisely locate the whereabouts of any animal within the herd.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The proposed scheme will contribute to the Council's key outcomes as follows:

7.1.2 **Birmingham is a fulfilling city to age well in:** through this external investment and resulting physical ecological improvement of the site, increased numbers of residents will be encouraged to participate in healthy recreational, physical activity, and a greater appreciation of nature and heritage landscapes

- 7.1.3 **Birmingham is an aspirational city to grow up in:** through the introduction of innovative new technology Sutton Park will become an exemplar of modern grazing and conservation land management techniques
- 7.1.4 **Birmingham is a great city to live in:** the targeted improvements to landscape management will benefit the ecology of the site and encourage more healthy outdoor activity and positive social interaction, which supports increased wellbeing, and positive outcomes.
- 7.1.5 The project supports the Council's commitment to the Future Council Programme, establishing an environment in which residents, external partners and stakeholders and Council staff can effectively and visibly work together. This will aim to make best use of the resources available.

7.2 Legal Implications

- 7.2.1 Sites of Special Scientific Interest (SSSI) are important as they support plants and animals that find it difficult to survive elsewhere in the countryside, and they represent the country's best wildlife and geological sites. SSSI are legally protected under the ***Wildlife and Countryside Act 1981***.
- 7.2.2 This legislation gives Natural England powers to ensure better protection of SSSI and safeguard their existence into the future. If you are the owner - or occupier - of an SSSI, you have certain responsibilities that must be complied with.
- 7.2.3 Sutton Park is registered as a Scheduled Ancient Monument (SAM). The protection provided to scheduled monuments is given under the ***Ancient Monuments and Archaeological Areas Act 1979***.
- 7.2.4 Historic England monitor the condition of scheduled monuments (SAM). They encourage owners to maintain scheduled monuments in good condition by using sympathetic land uses, for example restricting stock levels or controlling undergrowth which can damage archaeology below ground

7.3 Financial Implications

- 7.3.1 None. Funding for this project is being provided by Sutton Coldfield Golf Club. All costs (installation, equipment, on going maintenance) are funded by the Golf Course. No financial contribution required from Birmingham City Council.

7.4 Procurement Implications (if required)

- 7.4.1 None. Funding for this project is being provided by Sutton Coldfield Golf Club.

7.5 Human Resources Implications (if required)

7.5.1 The GPS tracking capability will greatly enhance ability of the grazier and site based staff to monitor and address any animal welfare issues if they arise.

7.6 Public Sector Equality Duty

7.6.1. A Public Sector Duty Statement has been produced. A Full Equalities Assessment will not be required

8 Background Documents

8.1 Minutes from Sutton Park Advisory Committee

8.2 Cattle Collar Testimonials

8.3 Public Sector Duty Statement

9 List of appendices accompanying this report:

Appendix 1 – Location Map

APPENDIX 1



