

CABINET MEMBERS DELEGATED DECISION

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards All coastal wards in the Borough	Mandatory/	Be entirely within Cabinet's powers to decide	YES	
	Discretionary/	Need to be recommendations to Council	NO	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr Brian Long E-mail: <i>cllr.brian.long@west-norfolk.gov.uk</i>		Other Cabinet Members consulted: None		
		Other Members consulted: None		
Lead Officer: Alan Gomm E-mail: <i>alan.gomm@west-norfolk.gov.uk</i> Direct Dial:01553 616237		Other Officers consulted: Executive Director Planning and Environment		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
Date meeting advertised: 9 April 2015		Date of meeting decision to be taken: 15 April 2015		
Deadline for Call-In: 22 April 2015				

DRAFT MEMORANDUM OF AGREEMENT FOR WASH & NORTH NORFOLK COAST EUROPEAN MARINE SITE MANAGEMENT SCHEME

Summary

- The Borough Council has a statutory responsibility for aspects of the Wash and North Norfolk Coast European Marine Site and has for a number of years discharged this along with other bodies through the Wash and North Norfolk Coast European Marine Site Management Scheme.
- The current Management Scheme is about to expire and consideration has been given to whether this should be extended.

Recommendation

- The proposal is that it should be extended for a further three years at a cost of £2700 p.a. to the Borough Council.

Reason for Decision

- In order to discharge a statutory function which falls to the Borough Council.

1. Background and statutory considerations

1.1 The Wash and North Norfolk Coast European Marine Site consists of a Special Area of Conservation (SAC) designated under the “Habitats Directive” and three Special Protection Areas (SPA) designated under the Birds Directive which created a network of protected wildlife areas across the European Union, known as the Natura 2000 series.

1.2 The parties to the current agreement fully recognise the nature conservation importance of the Wash and North Norfolk Coast (referred to below as “the W&NNC”) and the statutory obligations placed upon them by the legislation referred to above. In order to assist in meeting these obligations the “Wash and North Norfolk Coast Management Group” jointly prepared “The Wash and North Norfolk Coast European Marine Site Management Scheme’. Dedicated staff time is required to implement the management scheme and a Project Manager will be employed by Eastern Inshore Fisheries and Conservation Authority (EIFCA) and financially supported by the partners.

1.3 **Project Objectives** - The purpose of the Project is to deliver the requirements placed upon Relevant Authorities and local agencies to implement the U.K. Habitats Regulations as these affect the W&NNC, in particular to maintain/achieve favourable conservation status for the interest features for which the area has been designated, and also to contribute to the sustainable development of the area. This should be achieved by working with all stakeholders for the area to implement The Management Scheme. There are several strategic goals which provide a framework for the tasks of the Project:

- Implementing and reviewing a Management Scheme for the area.
- Reporting as appropriate on the achievements of the Project.
- Delivering Natural England (NE) conservation objectives for the marine site interest features.
- Undertaking a condition monitoring programme.
- Promoting the Project and the sustainable use of the area, including the exercising of traditional activities. (See paragraph 1.6 of the Management Scheme.)

1.4 This agreement aims to establish the funding of the Wash and North Norfolk Coast European Marine Site Management Project to implement the Wash and North Norfolk Coast European Marine Site Management Scheme and sets out the arrangements for running the Project.

1.5 EIFCA is to take the lead and employ the Project Manager to implement the Project. The Project is to be funded by those “Relevant Authorities” listed below.

1.6 The Project will work closely with other complementary initiatives, for example The Norfolk Coast Project.

1.7 The area within which the Project will operate is the statutorily designated areas of the European Marine Site, (stretching from Flamborough Head to Blakeney Point) but on occasions will also include the wider adjoining areas in relation to specific issues, for example water quality, where a wider working area may be required to maintain favourable condition of an interest feature within the Project's area.

2. Options Considered

2.1 To not continue with the partnership working would render the Borough Council open to individual responsibilities that would be more onerous and costly than through joint working.

3. Policy Implications

3.1 The FMB will be chaired by the lead authority, be serviced by the Project Manager and consist of the following listed below:-

- one elected Member of the Boston Borough Council
- one elected Member of the East Lindsey District Council
- one representative of Natural England
- one elected Member of the King's Lynn and West Norfolk Borough Council
- one elected Member of the Lincolnshire County Council
- one representative of the Environment Agency
- one elected Member of the Norfolk County Council
- one elected Member of the South Holland District Council
- one elected Member of Fenland District Council
- one elected Member of Internal Drainage Boards
(to represent all other Lincolnshire and Norfolk IDBs relevant to the European Marine Site)
- one representative of EIFCA
- one elected member of the North Norfolk District Council
- two ports representatives (to represent the King's Lynn Conservancy Board, the Port of Boston, and the Wells Harbour Commissioners)
- one representative of Defence Infrastructure Organisation
- one representative of the Marine Management Organisation

all of whom will be entitled to vote, or can delegate their vote to a named substitute on all issues affecting the Project.

Full Management Board (FMB)

Composition: Officers, elected members, representatives of user groups & other partner organisations, plus project manager. Chaired by the lead authority (or other elected body.) Meets twice a year.

Role: Accountable under legislation & protocols
 Agrees policy and direction
 Bids for project support within relevant authority/other partner organisations
 Represents project within same
 Responsible for management scheme & its Progress

Core Management Group (CMG)

Composition: A subgroup of the relevant authorities within FMB, plus the project manager. Chair as for FMB. Meets 2 times a year, or as required.

Role: A working group taking forward functions delegated from FMB
 Sets programme & manages project manager
 Reports to & advises Full Management Board

4. Financial Arrangements

4.1 The Project's annual cost for core and output funding will be shared between the various participants to this Memorandum of Agreement, as set out below:

Boston Borough Council	£2,700
East Lindsey District Council	£2,700
King's Lynn and West Norfolk Borough Council	£2,700
Lincolnshire County Council	£2,025
Norfolk County Council	£2,700
South Holland District Council	£2,700
Fenland District Council	£2,700
North Norfolk District Council	£2,700
Internal Drainage Boards (5 x £306 excluding Kings Lynn Consortium)	£1,530
Defence Estates	£ 500
Total income 2015-18	<u>£22,955</u>

5. Personnel Implications - Employment of Project Manager

5.1 The Project will be implemented through a Project Manager appointed to the staff of the EIFCA (They will be an employee of EIFCA) and funded through the project.

6. Statutory Considerations

6.1 See 2.1 above.

7. Equality Impact Assessment (EIA)

7.1 Pre-screening report attached.

8. Risk Management Implications

8.1 The risk of failing to discharge relevant duties should we not continue in membership of the partnership would open the Borough Council to legal proceedings.

9. Declarations of Interest / Dispensations Granted

9.1 None sought.

10. Background Papers

10.1 Memorandum of Agreement for the Wash and North Norfolk Coast European Marine Site Management Scheme 2015-18



Pre-Screening Equality Impact Assessment

Name of policy/service/function	Memorandum of Agreement for the Wash and North Norfolk Coast European Marine Site Management Scheme 2015-18				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Discharge of statutory responsibilities regarding the European Marine Site.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name: Alan Gomm					
Job title: LDF Manager	Date: 8 April 2015				