

REPORT TO CABINET MEMBER FOR DECISION

Open		Would any decisions proposed :		
Any especially affected Wards 'Coastal' Wards from South Wootton to Burnham	Mandatory	(a) Be entirely within Cabinet's powers to decide YES		
		(b) Need to be recommendations to Council NO		
		(c) Be partly for recommendations to Council and partly within Cabinets powers – NO		
Lead Member: Cllr Brian Long E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial: 01553 616237		Other Officers consulted:		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				
Date meeting advertised: 31/5/12		Date of meeting decision to be taken: 8/6/12		
Deadline for Call-In: 15/6/12				

Date of meeting:

NORFOLK COAST PARTNERSHIP MEMORANDUM OF AGREEMENT

Summary

The Report seeks the Borough Council's support for a revised Memorandum of Agreement for the Norfolk Coast Partnership (NCP).

Recommendation

That the revised Memorandum of Agreement for the Norfolk Coast Partnership be supported and signed by the Portfolio Holder for Environment.

Reason for Decision

It is a legal requirement for local authorities with responsibilities for an Area of Outstanding Natural Beauty (AONB) to prepare and adopt a management plan for that area. The Agreement provides a framework for exercising those duties and responsibilities.

Background

The NCP Memorandum of Agreement provides a framework for the delivery of duties and obligations arising from Part IV of the Countryside and Rights of Way Act 2000 including the operation and management of an AONB

Partnership, a Staff Unit to act on behalf of the Partnership and the publishing, reviewing and monitoring of the Management Plan.

The Agreement also sets out a shared vision for and commitment to AONB management by all Parties to the Agreement. It outlines the expectations on all Parties to achieve this vision, including a local reflection of the national tripartite agreement between Defra, Natural England and the National Association for Areas for Outstanding Natural Beauty (NAAONB).

The Agreement is also intended to bind partners to give medium term security, matching Defra's commitment to an AONB funding programme over a 4 year Comprehensive Spending Review (CSR) period.

The review of the Norfolk Coast Partnership (NCP) Memorandum of Agreement for the next three years to 2014/15 was discussed at the last Core Management Group (CMG) meeting, with the conclusion that once a version that was satisfactory to both Defra and Norfolk County Council (NCC) (the employing authority) had been worked out, this would be circulated for partners for comment.

The document is now at that stage. Attached is the original version of the draft agreement from Defra, for reference, and a document showing proposed changes. They relate to redundancy arrangements, Defra and local authority funding commitments. These have been produced in discussion with NCC's legal section, who are happy that the risks to local authorities, and particularly to the County Council as the employing authority, are adequately managed in the amendments.

All partner organisations are now being asked to state whether they think that this is now an agreement that their authority would be willing to sign up to, if and when they would need to take it to committee, and who would sign on their authority's behalf.

In this authority's case it is considered that it would be appropriate for this authority to sign up to the revised agreement for the next three years to 2014/15. The revised agreement could be signed under delegated powers by the Portfolio Holder for Environment, Councillor Brian Long, who represents the authority on the NCP.

Financial Implications

The changes relate to the redundancy payment arrangements in the Agreement and also set out the continuing financial cost to the authority of £14,032 pa until 2014/15.

Policy/Personnel Implications

The changes include the redundancy payment arrangements in the Agreement.

Statutory Considerations

It is a legal requirement for local authorities with responsibilities for an AONB to prepare and adopt a management plan for that area and to have regard to the purpose of designation in taking any actions that may affect land in the AONB. Participation in the review and implementation of the AONB Management Plan is an important way of meeting this duty. The Agreement provides a framework for the delivery of duties and obligations arising from Part IV of the Countryside and Rights of Way Act 2000

The changes relate to any redundancy payments legally due to AONB Staff under Part XI of the Employment Rights Act 1996 or other relevant legislation on termination of employment.

Risk Management

The changes have been produced in discussion with NCC's legal section, who are happy that the risks to local authorities, and particularly to the County Council as the employing authority, are adequately managed in the amendments.

Background Papers

E mail from Tim Venes, NCP Manager dated 4/5/12.
NCP Memorandum of Agreement Amendments May 2012.
NCP original version of Memorandum of Agreement

Signed:

Cabinet Member for

Date