

**GREAT FEN PROJECT GOVERNANCE
(Report by Director of Environmental and Community Services)**

1. INTRODUCTION

1.1 At its meeting on 20th November 2008, Cabinet received a report concerning the emerging future governance arrangements of the Great Fen Project, of which the Council is one of five Partners. Cabinet resolved:

- (a) that arrangements for the District Council to enter into a Collaboration Agreement in respect of the Great Fen Project for a renewable five year fixed term be approved; and
- (b) that the detailed content of the Draft Agreement be the subject of a future report to the Overview and Scrutiny Panel (Service Support) prior to its submission to Cabinet.

A copy of the previous Cabinet Report is attached as Appendix 1.

1.2 Representatives of each of the five Partners have now constructed a Draft Agreement with the assistance of legal advice, which can be recommended to the various constituent bodies and this is attached as Appendix 2.

2. PROPOSALS

2.1 Whilst the term for the Agreement is intended to be for five years (see para. 12.3), provision is made for earlier termination, if appropriate.

2.2 The Agreement sets out the operational arrangements of the Steering Committee and any Working Groups and also mandates the Steering Committee to constitute a forum to formally engage with stakeholders and interested parties in an advisory capacity.

2.3 The Council currently contributes £10K p.a. towards the salary costs of the Project Manager, plus ad hoc amounts towards specific items. The Agreement proposes that the project management costs including the employment of the Project Manager should be shared between four of the parties (see Section 8). It proposes an annual contribution of £20K. The Middle Level Commission as the fifth party would forgo voting rights as set out in Section 8. The Council's existing contribution has been funded from the Housing and Planning Delivery Grant. Whilst it is anticipated that when the latest settlement in respect of this grant is announced (for the current year), this could continue to be the funding mechanism; it will otherwise need to be contained within existing budgets.

2.4 Each party will be entitled to appoint 2 members to the Steering Committee, although only one will hold voting rights. This was intended to allow parties to appoint both an Executive or Board Member (in our case an Executive Councillor) and supporting Senior Officers.

3. RECOMMENDATION(S)

- i) That Overview & Scrutiny (Environmental Well Being) comment on the provisions of the proposed Collaboration Agreement.
- ii) That Cabinet endorse the Collaboration Agreement in the light of (i) above.

BACKGROUND INFORMATION

- 1. Great Fen Project Governance – Report to Cabinet – 20th November 2008 (attached as Appendix 1)
- 2. Draft Collaboration Agreement

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CABINET

20TH NOVEMBER 2008

GREAT FEN PROJECT GOVERNANCE
(Report by Director of Environmental & Community Services)

1. INTRODUCTION

- 1.1 This report concerns the emerging future governance arrangements of the Great Fen Project of which the Council is one of five Partners.
- 1.2 The Project Steering Group has recognised the need for a more robust form of Governance, given the stage the Project has now reached. Accordingly, it has instructed lawyers to draw up a draft Collaboration Agreement.

2. BACKGROUND

- 2.1 The Great Fen Project is one of the most significant habitat restoration projects ever undertaken in Britain by the acquisition and restoration of land adjacent to two existing National Nature Reserves, Holme Fen and Woodwalton Fen. Connecting these two reserves will create a haven for wildlife and biodiversity. The Project, however, is by no means exclusively about wildlife/biodiversity as it will create a massive green space for people, opening up new opportunities for recreation, education, health benefits and business. Sustainable agriculture will also remain an important aspect; although over the life of the project the intensive arable activity will decrease, replaced in part by grazing and other economic activity.
- 2.2 The Great Fen Vision is:
- “A restored fenland landscape providing a variety of habitats for people and wildlife, now and in the future”.
- 2.3 The Great Fen Project Aims as stated in its Strategy and Action Plan are to:
- ✚ Help safeguard two very important National Nature Reserves. These are legally protected sites, one of which is of international importance for its wetland habitats and species.
 - ✚ Create over 3,000 hectares (over 4200 football pitches) of new wildlife habitat, making a major contribution to local and national targets set out in the UK Biodiversity Action Plan.
 - ✚ Contribute to diversification in the local economy, creating opportunities for new jobs and income streams.
 - ✚ Enhance flood protection in the Middle Level drainage system.
 - ✚ Create access for a wide range of users in an area largely devoid of public footpaths and the associated health benefits.

- ✚ Become a significant tourist destination.
- ✚ Contribute to important Government Public Service Agreement targets.

2.4 The Project is currently governed under the terms of a Memorandum of Agreement (MoA) between the five partners: The Environment Agency, Natural England, The Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough, The Middle Level Commissioners and the Council. Agreement to the MoA was first approved by Cabinet in June 2002 and updated in July 2006 and September 2007.

2.5 The Project aims and objectives fit closely with those of the Council, particularly:

- ✚ Provision of strategic open space (related to the growth agenda and access to the countryside).
- ✚ Diversification of the economy, especially in NW Huntingdonshire.
- ✚ Promotion of healthy lifestyle choices.
- ✚ Conservation and enhanced local heritage.
- ✚ Protection and improvement of wildlife habitats.
- ✚ Adaptation and mitigation in the face of climate change.

The Project aligns with the Council's key strategies, including:

- ✚ Sustainable Community Strategy
- ✚ (Planning) Core Strategy
- ✚ Local Economic Strategy
- ✚ Environment Strategy

2.6 With regard to 'spatial planning' the significance of the Project has been highlighted and given statutory force by inclusion in the now adopted Regional Spatial Strategy (RSS). The RSS is part of the local 'Development Plan', a legal entity and as a result the Council's Local Development Framework must be consistent with that Strategy to be judged 'sound' at subsequent Examinations.

2.7 The Great Fen Project is also recognised in the Green Infrastructure Strategy for the Cambridge Sub Region whereby within this District it is linked with other areas including Paxton Pits and areas around Grafham Water into an extensive network of strategic green space.

2.8 The Project is funded from a variety of sources including private donations and contributions from Partners. Significant resources have been provided from public sources including Growth Area Funds (CLG), Economic Development (EEDA) and more recently the Heritage Lottery Fund in recognition of the national importance of the Project. In total some £15.6m has been raised.

2.9 The significant grant from the Heritage Lottery Fund has meant that the Project Partners now control 56% of the Project area, (although some is subject to long-term agricultural tenancies), and have entered into commitments with the Fund in terms of areas of land to be restored and other outcomes associated with education and community involvement. The focus of the Project is increasingly on delivery of the objectives listed above, rather than land acquisition.

- 2.10 Whilst the Memorandum of Agreement has served the Project well in its formative stages, in light of the above the stage has been reached where this needs to be strengthened.

3. PROPOSED FORM OF GOVERNANCE

- 3.1 Following professional advice, the Steering Group has concluded that a Collaboration Agreement should be drawn up to enable implementation by the Partners for the next financial year 2009/10.

- 3.2 It is anticipated that the Collaboration Agreement will be for a fixed term with options to renew and will define the relationship between the Partners. The current Memorandum of Agreement simply relies on a three month notice of withdrawal.

- 3.3 The Collaboration Agreement would set out what the Project is seeking to achieve. Other matters that it is anticipated will be included relate to:

- ✚ The operation of the Steering Group (or whatever body supersedes it) and its sub groups , these are likely to include a Land Management Group and a group concerned with Visitors, Access, Economic Development and Education/Community Matters.

- ✚ The role of the Project Manager and any other seconded staff.

- ✚ Services and contributions provided by Partners in cash or kind.

- 3.4 The Collaboration Agreement is a co-operation arrangement, no trading takes place and were this to be a requirement in the future, an alternative arrangement would be required as the Project continues to mature, between all or some of the Partners.

- 3.5 The commitments in relation to the Heritage Lottery Funding run for 5 years. Furthermore, it is anticipated that it is over this same period that some of the wider objectives of the Project can be progressed, for example, significant visitor facilities, access and economic development. A Project of this scale necessarily requires some continuity and stability. A five year term would appear realistically to be the minimum period for any Agreement.

4. RECOMMENDATION

- i) That the principle of entering into a Collaboration Agreement in respect of the Great Fen Project for a five year fixed term, renewable, be approved.
- ii) That the detailed content of the Agreement be the subject of a future report.

Contact Officer: Malcolm Sharp, Director of Environmental & Community Services