

**THAMES BASIN HEATHS  
JOINT STRATEGIC PARTNERSHIP BOARD**

Date: 3 June 2008

Subject: **The Role of the Board in Implementing the Delivery Framework**

Report of: Regional Assembly

**Recommendation:**

It is recommended that the Board:

1. Endorse the principle of the management and delivery of strategic avoidance measures by one or several external organisations, and request that detailed proposals are reported to the Board at their next meeting.
2. Agree that whilst proposals are worked up in more detail, the existing role and remit of the Board as an advisory body, as set out in the terms of reference, remains appropriate.

**Purpose of the Report:**

To summarise the options for implementation of the Delivery Framework, and the implications for the role of the Board.

**1. Introduction**

- 1.1 The Delivery Framework agreed at the Board meeting in March 2008 to identify a number of areas where cross boundary working is needed, namely:
  - Joint working between groups of authorities to provide SANG land.
  - Strategic funding and provision of access management measures.
  - Strategic monitoring of the SPA.
- 1.2 In particular, it proposes that strategic access management and monitoring should be funded by developer contributions which will be collected at a local level but pooled for strategic allocation.
- 1.3 This paper summarises the options for implementing cross boundary working and considers the role and responsibilities of the Board in that process.

## **2. Existing Terms of Reference of the Board**

- 2.1 Members of the Board have been nominated by their authorities on the basis that the Board operates as an informal advisory group. The current terms of reference as agreed at the Board meeting in October 2007 state that the Board:

*'will act as an advisory body for the local planning authorities affected by the Thames Basin Heaths SPA. For the avoidance of doubt the ... Board cannot exercise any of the functions of a planning authority nor can it fetter any decisions made by such bodies nor the rights and responsibilities of the landowners of the SPA.'* (paragraph 1.3)

- 2.2 In the light of the current advisory role of the Board, there is a need to consider how best the strategic measures set out in the Delivery Framework be delivered, and the role of the Board in this process. This paper sets out a number of options for member's consideration.

## **3. Pooling Developer Contributions for Strategic Avoidance Measures**

- 3.1 The draft ISDP that was consulted upon earlier in the year suggested that the Board should manage pooled developer contributions and allocate these to the strategic provision of SANG, access management and monitoring. This proposal was not widely supported through the consultation due to concerns that the strategic allocation of SANG land through the Board would fetter local authorities.
- 3.2 The revised, re-titled, Delivery Framework agreed at by the Board in March 2008 took account of these concerns by requiring that a standard charge be levied on developer contributions for strategic access management and monitoring (but not generally SANG) and pooled for strategic allocation, and that the Board should retain an overview of provision of these measures. The Delivery Framework does not specify who should manage the strategic funds or deliver the strategic avoidance measures.
- 3.3 The implementation of cross boundary SANG will be considered briefly later in this report. Developer contributions collected for SANG provision will generally be retained by the local authority (or local authorities working in partnership) and not pooled into a strategic fund. Reference in this report to 'strategic avoidance measures' should therefore be taken to include access management and monitoring only.

### Options for Managing Pooled Contributions and Delivering Strategic Avoidance Measures

- 3.4 The two broad options for managing pooled contributions and delivering strategic avoidance measures are:
- They are managed and delivered by the Board.
  - They are managed and delivered on behalf of the Board, by one or several external organisations.

- 3.5 The Board does not currently have the powers to manage developer contributions, or employ staff to deliver strategic avoidance measures (although there is a 'holding' paragraph in the current terms of reference about raising funds pending further detailed arrangements). To do so would require the Board to take on considerable responsibilities, for example by setting up a company limited by guarantee for the purpose of delivering strategic avoidance measures, which would enable to Board to hold assets and employ staff.
- 3.6. This option has not generally been supported to date, either through the draft ISDP consultation or by the Officer Steering Group. It is suggested that the second option outlined above - the management and delivery of strategic avoidance measures by one or several external organisations - would be preferable for a number of reasons.

#### Management and Delivery by One or Several External Organisations

- 3.7 The Access Management Partnership has been exploring options for the management and delivery of strategic access management in some detail, and their progress to date is reported in **Agenda Item 5**. Their proposals could equally be applied to the management and delivery of strategic monitoring.
- 3.8 In summary, under this option, individual local authorities would delegate responsibility for managing strategic avoidance funds - and for overseeing the delivery and monitoring of avoidance measures - directly to an external organisation, which already has the ability to manage funds and employ staff, and a remit for and expertise in access management.
- 3.9 That organisation could act as a banker for locally collected developer contributions toward strategic avoidance measures, employ a small project management team, and where appropriate distribute funds to other organisations to deliver avoidance measures 'on the ground' (be that access management or monitoring). The Board would continue to oversee and steer the work of the project team, and receive regular progress and monitoring reports.
- 3.10 A parallel can be drawn here between this approach and the arrangements in South East Dorset, where Poole Borough Council manages pooled developer contributions on behalf of the Heathland Executive Group, and access management is delivered by the Urban Heaths Partnership and other partners. Another example - closer to home - is that of the Blackwater Valley Countryside Partnership, which is funded by contributions from authorities in Hampshire, Berkshire and Surrey; the funds and staff are managed and overseen by Hampshire County Council.
- 3.11 This option has the benefit of:
1. Utilising an organisation that is already well established, reducing the time and resource input needed to set up a new body / company.
  2. Utilising existing expertise in relation to delivery of access management and the management of similar partnership approaches.
  3. Allowing the Board to retain a role in providing a strategic overview of the delivery and success of the Delivery Framework, whilst retaining its remit as an advisory body. The current terms of reference allow for the functions of the Board to include:

*‘ Instruct[ing] the Officer Support Group or such other parties as may be appropriate to undertake work in accordance with an agreed brief or project plan and an agreed work programme....  
Liais[ing] with stakeholders to monitor and review the effectiveness of measures taken to protect the SPA...’*

#### **4. Cross Boundary SANG Provision**

- 4.1 It is anticipated that SANG will generally be provided at a local authority level; however, the Delivery Framework makes provision for joint working between authorities to provide SANG where appropriate.
- 4.2 Feedback from officers to date is that this is likely to be a longer term option because of the complexities of cross boundary working. It is also likely that ‘cross boundary’ SANG will be provided across smaller groups of authorities (such as those around the Blackwater Valley).
- 4.3 At this stage, therefore, it is not considered that the Board will have a role in the provision of cross boundary SANG - rather it will be provided at a more local level, and the arrangements for funding and delivery will be agreed between smaller groups of authorities. This also reflects concerns expressed through the draft ISDP consultation that in identifying strategic SANG, the Board would be fettering local planning authorities. The Board will, however, continue to receive regular reports on the provision of SANG from local authorities.

#### **5. Conclusions**

- 5.1 As stated above, further information about the delivery of strategic access management is included under **Agenda Item 5**. Notwithstanding the Board’s discussions in relation to agenda item 5, it is suggested that members:
1. Endorse the principle of the management and delivery of strategic avoidance measures by one or several external organisations, and request that detailed proposals are reported to the Board at their next meeting.
  2. Agree that whilst proposals are worked up in more detail, the existing role and remit of the Board as an advisory body, as set out in the terms of reference, remains appropriate.
- 5.2 The Board will continue to oversee the implementation of the delivery framework and has the ability to make recommendations about actions in the light of progress on delivery and monitoring results.

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