

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2011
title: MEMORANDUM OF AGREEMENT FOR THE FOREST OF BOWLAND AONB
submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES
principal author: DAVID HEWITT – COUNTRYSIDE OFFICER

1 PURPOSE

- 1.1 For Committee to confirm that it would not be appropriate for Ribble Valley Borough Council to become a signatory to the Forest of Bowland Area of Outstanding Natural Beauty (AONB) Memorandum of Agreement.
- 1.2 Relevance to the Council's ambitions and priorities:
- Council Ambitions – to safeguard the natural environment.
 - Community Objectives – to enhance and maintain amenity value.
 - Corporate Priorities – to maintain the natural environmental quality of Ribble Valley.
 - Other Considerations – none.

2 BACKGROUND

- 2.1 Some 70% of the Ribble Valley district lies within the Forest of Bowland AONB and as a member of both the Joint Advisory Committee and the Technical Officers' Group for the AONB the council is one of six District Councils that, along with Lancashire County Council, are working together to ensure that the natural beauty of the Forest of Bowland AONB is conserved, enhanced and protected for the benefit of all.
- 2.2 Each of the six Districts and Lancashire County Council, make an annual contribution to core costs and in total this provides 25% of the total core funding for the AONB countryside unit, the remaining 75% is provided by DEFRA.

3 ISSUES

- 3.1 Currently the district council funding partners are directly and indirectly responsible for protection and enhancement of the designated area of the AONB through the delivery of the aims and objectives of the management plan. This is a statutory requirement.
- 3.2 The current arrangement has been in place for over 20 years and is strongly supported by partners and relevant authorities. It has been a key factor in the introduction of a number of initiatives for the sustainable management of the AONBs natural assets, generating strategic funding and proactive management – ie the sustainable development fund, micro-renewable energy initiative, climate change activities and species recovery projects.

- 3.3 The Memorandum of Agreement is intended to bind partners to give medium-term security in order to match DEFRA's commitment to the AONB funding programme with In the four years comprehensive spending review period.
- 3.4 Although a four year commitment is being sought, the Memorandum of Agreement is worded to enable funding from the 2012/2013 financial year onwards to be subject to annual reviews for DEFRA and the relevant Local Authorities.
- 3.5 The agreement provides a framework for the determination of duties and obligations arising from part IIV of the Countryside & Rights of Way Act 2000 including the operation and management of an AONB Partnership and the publishing, reviewing, and monitoring of the management plan.
- 3.6 The Memorandum of Agreement includes a number of clauses designed to formalise existing working agreements. However the clause that covers redundancies is of concern because it has the potential to leave the council exposed to financial liabilities.
- 3.7 In the event that any funding partner withdraws from the agreement, the remaining funding partners will be held liable for any redundancies arising from the reduction in funding.
- 3.8 Previous funding agreements have been based on statements of intents subject to budget headings being maintained. In 2011 the first memorandum of agreement was drawn up but RVBC did not become a signatory due to the inclusion of a clause - inescapable contractual commitment.
- 3.9 Ribble Valley Borough Council's failure to sign the first Memorandum of Agreement has not impaired delivery of the objectives included in the AONB management plan or affected the working partnership process.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A
- Technical, Environmental and Legal – N/A
- Political – N/A
- Reputation – N/A

5 **RECOMMENDED THAT COMMITTEE**

5.1 Confirm that negotiations should continue with DEFRA through the Forest of Bowland AONB until a satisfactory resolution of the issue of redundancies has been resolved and that until such time, it is recommended that Ribble Valley Borough Council does not become a signatory to the Memorandum of Agreement for the AONB.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

1 Copy of Draft Memorandum of Agreement.

For further information please ask for David Hewitt, extension 4505.