

## Wiltshire Council

### Cabinet

10 September 2012

---

**Subject:** Council Involvement in the Swindon and Wiltshire Local Nature Partnership

**Cabinet Member:** Councillor Toby Sturgis - Cabinet Member for Waste, Property, Environment and Development Control Services

**Key Decision:** No

---

#### Executive Summary

The UK Government has set out its national policy to protect and enhance our natural environment for future generations through its recent White Paper, which included a commitment to establish a national network of Local Nature Partnerships (LNPs). The Wiltshire and Swindon LNP has formed over the past 12 months and was officially recognised by Richard Benyon in July 2012. This proposal updates the Council on the significance of the Wiltshire and Swindon LNP for the Council's business and requests its support in the establishment and ongoing work of the partnership.

#### Proposals

Cabinet is requested to:

- (i) Receive this update on the emerging Wiltshire and Swindon LNP.
- (ii) Agree representation of Wiltshire Council on the LNP Board by Cllr Toby Sturgis.
- (iii) Agree to redirect funding from the Wiltshire Biodiversity Action Plan to the Wiltshire and Swindon LNP.
- (iv) Agree to replacement of the Wiltshire Environmental Alliance by the Wiltshire and Swindon LNP, subject to consensus by the wider Wiltshire Assembly.
- (v) Support the work of the Wiltshire and Swindon LNP and give due consideration to its advice on environmental matters.

**Reason for Proposals**

DEFRA has strongly suggested that successful LNPs must have local authorities as part of their core membership in order to influence key strategic decision making. Wiltshire Council's input will be critical for the effective operation of the Wiltshire and Swindon LNP.

**Alistair Cunningham**  
**Service Director for Economy and Regeneration**

## Wiltshire Council

### Cabinet

10 September 2012

---

**Subject:** Council involvement in the Swindon and Wiltshire Local Nature Partnership

**Cabinet Member:** Councillor Toby Sturgis - Cabinet Member for Waste, Property, Environment and Development Control Services

**Key Decision:** No

---

### Purpose of Report

1. Following the Government's recent White Paper on the environment, the Department for Environment Food and Rural Affairs (DEFRA) is in the process of establishing a national network of Local Nature Partnerships (LNPs). Agreement is sought for Wiltshire Council to support the recently established Wiltshire and Swindon LNP.

### Background

#### Role of the Local Nature Partnerships

2. In June 2011 the UK government published the Natural Environment White Paper, which included a key commitment to '*establish Local Nature Partnerships to strengthen local action*'. The White Paper set out the main purposes of the LNPs to:
  - enable local leadership which may operate across administrative boundaries
  - raise awareness about the services and benefits of a healthy natural environment
  - contribute to the green economy and complement Local Enterprise Partnerships
3. DEFRA subsequently clarified their ambition that LNPs will help their local area to manage the natural environment as a system and to embed its value in local decisions for the benefit of nature, people and the economy. To do this effectively they will need to be self-sustaining strategic partnerships of a broad range of local organisations, businesses and people with the credibility to work with, and influence, other local strategic decision makers.

#### Development of the Wiltshire and Swindon LNP

4. In July 2011, following discussions with the local authorities and environmental stakeholders, Wiltshire Wildlife Trust submitted an application to DEFRA for capacity funding to develop a joint Wiltshire and Swindon LNP. The bid was successful and DEFRA awarded £20,000 to support the development of a

Wiltshire and Swindon LNP, and the preparation of an application to be formally established as a LNP. In October 2011 a LNP Steering Group was established and in January 2012 a full-time Wiltshire and Swindon LNP Development Officer was employed on a six month contract. The Steering Group set up to develop the application included the Council's Service Director for Economy and Regeneration (Alistair Cunningham).

5. Two workshops have been run during 2012 to identify the main challenges and opportunities for the natural environment in Wiltshire and discuss a governance structure for the emerging LNP. The workshops were well attended by a wide range of stakeholders, including representatives from Wiltshire Council, and identified the main relevant issues as set out in **Appendix A**. The LNP Development Officer has also met with a range of individuals and organisations.
6. An application to become officially recognised as a LNP was submitted to DEFRA at the end of May, and the LNP was officially recognised by the UK government in July. The first LNP board meeting is scheduled for 19 September, 2012.

## **Main Considerations for the Council**

### Representation of Wiltshire Council on the LNP Board

7. DEFRA has made it clear that local authorities will have a key role to play in LNPs, particularly through its influence in strategic decision and policy making. This has been recognised by the LNP from the beginning of the process, with both Wiltshire and Swindon Councils being involved in decision making from an early stage.
8. The structure and governance of the LNP has been discussed and agreed (see **Appendix B**). It is proposed that it would be made up of a board to provide strategic leadership. This board would be made up of approximately 12 members representing different sectors, including environment, economy, health and wellbeing, agriculture, education, community, military and youth.
9. The Council is requested to confirm that Cllr Toby Sturgis would represent Wiltshire Council on the LNP Board. As Cabinet Member for Waste, Property, Environment and Development Control Services Cllr Sturgis is well placed to represent the views of the Council on environmental matters and already represents Wiltshire Council in a number of other environmental partnerships.

### Funding for the Wiltshire and Swindon LNP

10. It is intended that the LNP will become self-sustaining over time by drawing down funding from a wide range of sources, generating income through social enterprise schemes, fee earning work and through support from its partners. Core funding required to ensure the full establishment and effective operation of the LNP, particularly the role of the Secretariat, will initially need to be provided by the two local authorities. Longer-term funding mechanisms to resource delivery work will be developed during the first 12 months of the partnership being established.

11. It is proposed that Wiltshire Council uses £21,900 of current funding to Wiltshire Wildlife Trust to resource the role of the Secretariat to the Wiltshire and Swindon LNP. This money would be redirected from the following existing budgets:
  - £12,500 previously used to part-fund (with Swindon Borough Council) a fixed term Biodiversity Action Plan (BAP) Officer post (contract ending Sept 2012).
  - £9,400 previously used to provide a core grant to Wiltshire Wildlife Trust.
12. Swindon Borough Council has also agreed to part fund the LNP Secretariat to the value of £13,600.

#### Role of the Wiltshire and Swindon LNP in the Wiltshire Assembly

13. There are considerable similarities between the aims and scope of the emerging LNP and those of the established Wiltshire Environmental Alliance (WEA), which currently forms part of the family of partnerships which report to the Wiltshire Assembly (see **Appendix C**). The WEA meets regularly and Wiltshire Council is represented by Cllr Toby Sturgis (as vice-chair) and a number of relevant officers. Many of the same individuals on the proposed LNP board also currently attend the WEA.
14. In order to avoid duplication of effort, a number of shadow board members have suggested that the WEA be replaced by the LNP. This would involve the LNP becoming part of the family of partnerships and taking responsibility for helping to deliver relevant objectives and actions within the Wiltshire Community Plan 2011-2026.
15. Although the replacement of the WEA by the LNP will also require agreement from the wider partners, confirmation is requested from Cabinet that it supports this course of action.

#### General Support of the Wiltshire and Swindon LNP

16. DEFRA has confirmed that they intend the LNPs to have an advisory role, providing a clear voice on environmental issues. The government has also committed that the new 'duty to co-operate' will also extend to LNPs, placing a duty upon local authorities to 'have regard' to the advice of the LNP. The National Planning Policy Framework also sets out a number of obligations for local planning authorities to work with LNPs in drawing up their local plans.
17. The application for the Wiltshire and Swindon LNP clearly set out an ambition to establish the partnership's credibility and to engage and collaborate with a wide range of senior decision makers, which are likely to include departments and councillors from across the Council's business.
18. Although the duty to co-operate will introduce a statutory obligation to have regard to the work of the LNP, further support for the LNP through positive engagement on environmental issues is requested going forward.

## Environmental and Climate Change Considerations

19. The Wiltshire and Swindon LNP should help to provide a co-ordinated and clear voice on environmental issues, helping to ensure that more sustainable choices are made for Wiltshire's environment and helping to focus resources on the most relevant issues. It is considered that the Council's support for the LNP (as set out in this proposal) will be fundamental for its success and will ultimately provide benefits for environmental and climate change issues.

## Equalities Impact of the Proposal

20. The membership of the LNP will be as broad as possible in order to represent all relevant interests in the environment. A communications strategy is being drawn up to ensure that all relevant individuals and groups have an opportunity to input. The proposal therefore does not impact upon equality and inclusion.

## Risk Assessment

21. The risks associated with redirecting funding towards the LNP have been considered. The money formerly used to part fund the BAP Co-ordinator post employed by Wiltshire Wildlife Trust will no longer be required as biodiversity activities will be largely co-ordinated by one of the LNP working groups. The current co-ordinator is employed on a temporary contract which is due to terminate at the end of September 2012; therefore, there will be no severance costs for terminating the position. The Wiltshire BAP has also recently been reviewed to become a more free-standing framework, with less emphasis on the need for constant target setting and monitoring. Discussions have also been held with Wiltshire Wildlife Trust about targeting the funding from their core grant towards the provision of the LNP Secretariat; they are satisfied that this is possible without any threat to their core business, and are willing to contribute towards the LNP in this respect. Wiltshire Council will continue to fund other aspects of Wiltshire Wildlife Trust's work relevant to the Council's business through a Service Level Agreement.
22. The possibility of conflicts of interests may arise as the LNP will be advising on a wide range of issues, particularly through the duty to co-operate, which may impact upon the interests of the partner organisations e.g. local authority statutory interests on planning matters, or a power company's commercial interests in renewable power. It will be necessary for board members to declare their interests in any such formal statements and they may not be involved in their preparation, subject to the Terms of Reference for the board (draft Terms of Reference are included in **Appendix D**).

### Risks that may arise if the proposed decision and related work is not taken

23. If Wiltshire Council does not support the establishment and ongoing work of the Wiltshire and Swindon LNP it is unlikely that the partnership would become fully established. Without an effective LNP public and private sector organisations in Wiltshire are likely to make considerably less sustainable decisions, resulting in higher environmental impacts and degrading of our natural environment. Such damage to the environment will ultimately be paid for by future generations.

24. There would be a clear reputational risk to the Council if it chose not to support the Wiltshire and Swindon LNP. There is an expectation from DEFRA that local authorities will support their relevant LNPs and indeed this support has been observed elsewhere across the country. The decision to withdraw support for the LNP would probably attract media attention and could potentially send out the message that Wiltshire Council is unsupportive of environmental initiatives and partnerships.
25. DEFRA may also use the LNPs to channel resources and future funding opportunities, as the Local Enterprise Partnerships are currently doing for funding streams such as the Regional Growth Fund. Without an effective LNP Wiltshire could potentially miss out on similar funding opportunities for environmental initiatives.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

26. Any risks to the Council associated with the proposed decision are low and could be avoided for the reasons set out in the risk assessment above (Paras. 21-22).

### **Financial Implications**

27. The proposals include redirecting existing budgeted funds towards the LNP at no additional cost to the Council (see Para. 11 above).

### **Legal Implications**

28. As this is a strategic partnership involving a number of different community and business groups it is essential that there are signed documents that clearly set out robust governance arrangements in place for this partnership.
29. These documents should include, partner responsibilities and monitoring, reporting to partners, member responsibilities, any partner staff protections (if applicable), dispute resolution between partners, and what will happen on failure of the partnership.
30. Therefore, there should be legal services involvement either in the drafting or checking of all proposed governance documents before signing.

### **Options Considered**

31. The alternative of not supporting the Wiltshire and Swindon LNP has been rejected for the reasons set out in Para. 23-25.

## Conclusions

32. In conclusion, it is recommended that the Council support the establishment and work of the emerging Wiltshire and Swindon LNP. The partnership will benefit Wiltshire's natural environment and the sustainability of decision making in the county.

**Alistair Cunningham**  
**Service Director, Economy and Regeneration**

Report Authors:

**Jon Taylor**

Landscape and Design Manager

[jon.taylor@wiltshire.gov.uk](mailto:jon.taylor@wiltshire.gov.uk)

Tel No. 01225 718276

**Ariane Crampton**

Head of Service, Economy & Regeneration

[ariane.crampton@wiltshire.gov.uk](mailto:ariane.crampton@wiltshire.gov.uk)

01225 718463

---

## Background Papers

- UK Government (2011) *The Natural Choice: Securing the Value of Nature*  
<http://www.defra.gov.uk/environment/natural/whitepaper/>
- DEFRA (2012) *An Overview of the Local Nature Partnership Role*  
<http://www.archive.defra.gov.uk/environment/natural/documents/local-nature-partnerships->

The following unpublished documents have been relied on in the preparation of this report:

Wiltshire and Swindon Local Nature Partnership application

## Appendices

Appendix A - Main issues arising from the LNP Workshops

Appendix B - Proposed Structure and Membership of the Wiltshire and Swindon LNP

Appendix C – Draft Wiltshire Strategic Structure

Appendix D – Draft Terms of Reference for the LNP board