

**CABINET MEMBER FOR WASTE, PROPERTY, ENVIRONMENT AND DEVELOPMENT
CONTROL SERVICES – CLLR T R STURGIS**

NEIGHBOURHOOD SERVICES

OFFICER CONTACT: Richard Broadhead 01225 713875 richard.broadhead@wiltshire.gov.uk

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A NEW WAY FORWARD FOR GOVERNANCE IN THE COTSWOLD WATER PARK

Purpose of Report

1. To:
 - (i) Consider a new governance framework for the Cotswold Water Park (CWP).
 - (ii) Obtain the approval of the Cabinet Member for Waste, Property, Environment and Development Services, on behalf of Wiltshire Council, for the disbanding of the Cotswold Water Park Joint Committee (CWPJC) on 31 March 2012 and for new governance arrangements to be put in place.

Background

Current Governance Arrangements in the Cotswold Water Park

2. The current boundary of the CWP includes land within Wiltshire, Gloucestershire (Cotswold District Council) and the borough of Swindon, although there are also areas within Oxfordshire that form part of the wider Water Park (see plan at **Appendix A**).
3. It should be noted that there are a number of parishes that do not fall within the formal boundary of the CWP but that are within what might be referred to as the functional boundary of area of influence of the CWP.
4. The CWPJC was established in 1967. The most recent constitutional document is the 1994 Partnership Agreement (see **Appendix B**) between Wiltshire County Council, North Wiltshire District Council, Gloucestershire County Council and Cotswold District Council, which is significantly out of date. Representatives from a number of governmental organisations such as Natural England and the Environment Agency attend, and there are also representatives from the parish councils within the CWP (elected by a ballot of all the relevant parish councils), plus the Cotswold Water Park Trust. There are also a number of working groups, with wider memberships, that feed into the CWPJC, such as the CWP Nature Conservation Forum.
5. The current membership of the CWPJC is:
 - Wiltshire Council – 6 members
 - Gloucestershire County Council – 3 members
 - Cotswold District Council – 3 members
 - Swindon Borough Council – 1 member

Wiltshire Parish Representative
Wiltshire Deputy Parish Representative
Gloucestershire Parish Representative
Gloucestershire Deputy Parish Representative
General Deputy Parish Representative

Environment Agency
Natural England
Sport England

(DEFRA and the Forestry Commission are also invited to attend meetings)

The Cotswold Water Park Trust attend the meetings as observers

Chair of CWPJC – Councillor Toby Sturgis (Wiltshire Council)
Vice chair – Councillor Jim Parsons (Cotswold District Council)

6. Wiltshire Council has contributed £74,000 to the CWPJC in 2011/12 and will make a further contribution of £74,000 to the CWP in 2012/13. Contributions beyond 2012/13 have not yet been decided.
7. The Cotswold Water Park Society Ltd. (CWPSL) was established in 1996 by the LAs as an Industrial and Provident Society with charitable status. A parallel organisation, the Cotswold Water Park Trust (CWPT) was registered as a charity in 2007. The two organisations have fully reviewed their governance and financial arrangements and, following a restructure, the CWPSL became a subsidiary of the CWPT in March 2011. As a consequence, the CWPT is now the lead organisation. The CWPT has recruited a new board of independent trustees to oversee its work.
8. For many years there has been a Partnership Grant Agreement between the CWPS (last year the CWPT) and the CWPJC to provide core funding and to deliver a number of prescribed outcomes.

Main Considerations for the Council

9. In order to reflect the changes in the way that LAs are structured and local communities are now working, such as the localism agenda and more stringent financial constraints, as well as the presence of a more robust and community-focussed partnership organisation with enhanced governance (the CWPT) within the CWP, new governance arrangements are needed in the CWP to ensure that the following needs are met:
 - (i) More direct local community involvement. At present there are parish council representatives on the CWPJC and there is an annual parish forum. Local communities have indicated that they would like more control of CWP issues.
 - (ii) Improved accountability to the individual funding LAs and to the local community. The current situation places the CWPJC between the LAs and many CWP issues, such as the funding arrangements with the CWPT. A more direct arrangement will allow more focussed and transparent use of resources that are more relevant to each LA's corporate priorities. It would also allow more local communities to more easily interact directly with the LAs over CWP issues.
 - (iii) Opportunities to reduce bureaucracy and increase accountability. The CWPJC currently requires substantial officer support to function effectively. The cost of Democratic Services Support alone was over £5,000 in 2011/12.

- (iv) More effective use of limited staff and financial resources. None of the constituent LAs now have officers who have the CWP as the main focus of their post. Until June 2011, Gloucestershire County Council funded a part-time post which provided the lead officer for the CWPJC. This post has not been filled on retirement. All the officers on the Officer Liaison Group are responsible for a range of functions within their LA and have decreasing time to support CWP matters.
 - (v) Improved outcomes for the environment, the local economy and the local community. The final outcome of whatever governance arrangements are in place is to ensure that they are “fit for purpose” and meet the aspirations of those people that live and work within and visit the CWP, within practical limitations.
10. The proposals for new governance arrangements are set out in paragraphs 11 to 19 below.
 11. Disband the CWPJC on 31 March 2012 by agreement of all LA partners. Cotswold District Council decided on 2 February 2012 to agree with the other LA partners to disband the CWPJC on 31 March 2012, or to withdraw from the CWPJC if the other LAs do not agree. To date, the other LAs have indicated at officer level that they agree with the proposals outlined in this report, although these have not been formally agreed. It should be noted that any functions that were originally delegated to the CWPJC will revert back to the LA that delegated those functions. It is envisaged that the CWPJC will have committed any remaining assets (the CWPJC only holds financial assets) before 31 March 2012; although it is unlikely that all the monies will have been claimed. Cotswold District Council may therefore be requested to hold the remaining financial assets of the CWPJC until such time as they have been claimed; all expenditure to be monitored by the CWP Officer Liaison Group.
 12. The formation of a Liaison or Co-ordination framework for the parish councils (and potentially other community organisations) within the CWP. At present there are parish council representatives on the CWPJC and there is an annual parish forum. It is not for the Unitary, County or District Authorities to direct the parish councils as to the type of liaison framework they may want in the future, but to provide a supporting role. Discussions are underway with a view to establishing the appropriate forum for the future. The framework could be the pre-cursor to a neighbourhood forum preparing a cross-boundary “neighbourhood plan” for the CWP, if that was deemed by local communities to be the most appropriate route.
 13. The inclusion of the CWP within the portfolio of a Cabinet Member of each of the LAs. In order to ensure that the CWP is considered in LA decision-making at the appropriate level, it is recommended that each LA will include the CWP within the portfolio of one of its Cabinet Members. This will provide the Officer Liaison Group with an informal group of Members with whom they can discuss any issues, for example support for new initiatives, etc. The relevant Cabinet Member will also act as a feedback mechanism for individual officers within their own LA. It may be appropriate for this group of senior Members to meet informally from time to time to discuss matters of mutual interest.
 14. Formal endorsement of the CWP Strategic Review and Implementation Plan (2009) by all the LAs. The Masterplan has been a major achievement for the CWPJC over recent years and it is important that the momentum is not lost. Additional information on the Masterplan is provided at **Appendix C**. In order to ensure that appropriate weight is given to the implementation of this plan, it should be endorsed by all the LAs, including Wiltshire Council.

15. The function of the Cotswold Water Park Officer Liaison Group is to be focussed on:
- Liaison and co-operation on the implementation of the CWP Strategic Review and Implementation Plan (Masterplan) 2009
 - Liaison over funding and delivery agreements with the CWP Trust
 - Liaison over cross-boundary issues
 - Liaison on support for the local community, including enabling cohesive neighbourhood planning.

A detailed terms of reference is available.

16. Funding and delivery arrangements between the LAs and the CWPT. Individual funding and delivery arrangements to be set up between each LA and the CWPT to enable LAs to commission the CWPT to deliver LA-specific tasks within their own budget constraints and according to their own corporate priorities, for example some of the LAs are land-holders within the CWP. There will be an open process of agreeing individual funding arrangements with the CWPT, which aims to foster a joined-up approach. The new system will enable each LA to decide upon their financial priorities within the CWP, while ensuring that the approach is co-ordinated between the LAs.
17. For 2012/13, during which Wiltshire Council will be allocating £74,000 to the CWP, a Partnership Grant Agreement will be required between the Council and the CWPT. It will focus on providing funds for:
- Support for promotion of access to countryside and education for all
 - Support for tourism and promotion of CWP
 - Support for Bio-diversity service
 - Community involvement (including facilitating the development of a parish Liaison Framework)
 - Support for co-operative working across the LAs, statutory agencies (and the CWPT) across the CWP
18. The future of the CWPLC Working Groups. There are a number of working groups, for example the Nature Conservation Forum and the Arts Working Group. These have been very successful in the past, for example joint work on funding bids etc. These groups will be able to continue to operate (if the membership organisations and individuals wish to continue to do so) but without the need to report back to the CWPJC. It is proposed that these groups will co-ordinate with the CWP Officer Liaison Group.
19. The boundaries of the CWP. For a number of historical reasons, the CWP boundaries were drawn up on what would appear to be a rather illogical basis and exclude several parishes which are within the functional area (or area of influence) of the CWP. Dependant on the views of these parishes, it may be beneficial to amend the boundaries of the CWP at some point to include these additional areas. However, notwithstanding the current formal boundaries, a pragmatic approach should continue to be adopted with respect to the geographical area of the CWP.

Environmental Impact of the Proposals

20. There will be no change in the environmental impact of the proposals.

Equalities Impact of the Proposals

21. There will be no change in the equalities impact of the proposals.

Risk Assessment

22. There is no increased risk.

Financial Implications

23. There are no financial implications.

Legal Implications

24. The CWPJC is not a formally constituted committee of Wiltshire Council. These proposals therefore have no legal implications for the Council but will result in improved governance of the CWP by the LA.

Options Considered

25. To:

- (i) Do nothing. Due to the changes within the structure of the LAs (Wiltshire County Council and North Wiltshire District Council have both been superceded by the unitary Wiltshire Council), the ways in which they are now working with local communities under the localism agenda and more stringent financial constraints, it is evident that new governance arrangements are required.
- (ii) Disband the CWPJC by agreement of all local authority partners and to adopt new governance arrangements.

Reason for Proposals

26. In order to reflect the changes in the way that LAs are structured and local communities are now working, such as the localism agenda and more stringent financial constraints, as well as the presence of a more robust and community-focussed partnership organisation with enhanced governance (the CWPT) within the CWP, new governance arrangements are needed in the CWP to ensure:

- (i) More direct local community involvement.
- (ii) Improved accountability to the individual funding LAs and to the local community.
- (iii) Opportunities to reduce bureaucracy and increase accountability.
- (iv) More effective use of limited staff and financial resources.
- (v) Improved outcomes for the environment, the local economy and the local community.

Proposals

27. That:

- (i) The Cotswold Water Park Joint Committee be disbanded as from 31 March 2012 subject to the agreement of all the constituent local authorities.
- (ii) Officers continue to work with the local parish councils and communities within and around the Cotswold Water Park to establish a framework for liaison on CWP matters.

- (iii) The Cotswold Water Park becomes a formal component of the Cabinet Member for Waste, Property, Environment and Development Control Services.
- (iv) Officers of the Council attend meetings of the Cotswold Water Park Officer Liaison Group to ensure effective cross-boundary working and liaison on strategic issues.
- (v) The Council endorses the Cotswold Water Park Strategic Review and Implementation Plan (Masterplan) and uses it to help guide and inform policy development and decision-making,
- (vi) The Council enters into a Partnership Grant Agreement with the Cotswold Water Park Trust to provide a grant for 20012/13, with details of the Partnership Grant Agreement being delegated to the Head of Amenity and Fleet in consultation with the Cabinet Member for Waste, Property, Environment and Development Control Services.

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

None