



CABINET

Subject Heading:

Land of the Fanns Landscape Partnership

Cabinet Member:

Councillor Roger Ramsey

SLT Lead:

Steve Moore, Director of Neighbourhoods

Report Author and contact details:

Christopher Smart, 01708 432150
chris.smart@havering.gov.uk

Policy context:

Havering Local Plan
Thames Chase Plan
All London Green Grid SPD

Financial summary:

Cabinet agreed in February 2013 that a bid could be submitted to the Heritage Lottery Fund for the Land of the Fanns Landscape Partnership Scheme, and that the Council would be identified as the accountable body for the Scheme. A grant of £1.359m was awarded to the Land of the Fanns Landscape Partnership Scheme in December 2016. Approval is now sought to formalise the partnership arrangement between the Council and several other organisations to deliver the Landscape Partnership Scheme and the Council's acceptance of the grant in its capacity as Accountable body

Is this a Key Decision?

Yes

(a) Expenditure or saving (including anticipated income) of £500,000 or more

(b) Significant effect on two or more Wards

When should this matter be reviewed?

October 2018

Reviewing OSC:

Towns & Communities OSC

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

- 1.1 In February 2013 Cabinet considered a report seeking approval to submit a funding application to the Heritage Lottery Fund (HLF) Landscape Partnership Programme. Cabinet agreed the development and submission of a grant funding application and that the Council be identified as the accountable body for the funding should an application be successful. The application to HLF was ultimately successful.
- 1.2 The purpose of this report is to formalise the partnership arrangement between the Council and several other organisations to deliver the Landscape Partnership Scheme. Formal approval is also sought for the Council to accept a grant of £1.36m from HLF, in its capacity as the Accountable Body for the Landscape Partnership.

RECOMMENDATIONS

- 2.1 Cabinet is asked to agree that the Council enters into a Partnership Agreement with others to deliver the Land of the Fanns Landscape Partnership scheme.
- 2.2 Cabinet is asked to agree that the Council accepts a grant of £1.36m from Heritage Lottery Fund in its capacity as Accountable Body for the Land of the Fanns Landscape Partnership scheme and ensures that appropriate governance and documentation exists within the partnership to mitigate the risk of grant loss.
- 2.3 Cabinet delegates to the Director of Neighbourhoods power to negotiate and enter into any necessary agreements or partnering arrangements or give any indemnities on behalf of the Council to deliver the scheme set out in this report and give effect to the first recommendation

REPORT DETAIL

3. Heritage Lottery Fund (HLF) Landscape Partnerships

- 3.1 The HLF Landscape Partnership programme supports schemes led by partnerships of local, regional and national interests which aim to conserve areas of distinctive local landscape character throughout the United Kingdom.
- 3.2 A Landscape Partnership scheme is expected to deliver across all the following four programme outcomes:
 - Conserving or restoring the built and natural features that create the historic landscape character.
 - Increasing community participation in local heritage.
 - Increasing access to and learning about the landscape area and its heritage.

Cabinet, 11 October 2017

- Increasing training opportunities in local heritage skills.
- 3.3 Landscape Partnerships support schemes that provide long-term social, economic and environmental benefits and create an integrated partnership approach to the management of our landscape heritage.
- 3.4 Over the past 4 years the Council has successfully worked with Thames Chase Trust, Forestry Commission, London Borough of Barking & Dagenham, Thurrock, Brentwood, Essex County Council and the Forestry Commission, Thames21 and Thames Estuary Partnership to develop a successful bid to HLF's Landscape Partnership programme. This is for a project that re-establishes the environmental, social and recreational benefits that were the original aims of the Thames Chase Community Forest and has extended the boundaries beyond the Thames Chase area to cover the adjacent urban areas. The project is called 'Land of the Fanns' to reflect the historic fen character of the landscape.
- 3.5 In February 2013 Cabinet agreed to the Council, together with the partner organisations, submitting an application to the Lottery for a grant of over £0.5m. It agreed that the Council would be identified as the accountable body for this funding should an application be successful.
- 3.6 Following a successful Stage 1 application to HLF the Council, on behalf of the partnership, was awarded a development grant of £0.094m to develop a Stage 2 application. Over the next 18 months this application was developed jointly with partners and culminated in the production of a Landscape Conservation Action Plan which provides the framework for delivery of a 5 year Landscape Partnership Scheme called Land of the Fanns.
- 3.7 Following submission of the Stage 2 application, a Heritage Lottery Fund grant of £1.359m was awarded to the Council on behalf of the Land of the Fanns Landscape Partnership Scheme in December 2016. As agreed at the Cabinet meeting in February 2013 the Council is identified as the Accountable Body for the HLF component of this project. The Thames Chase Trust is identified as the lead partner. The Council also holds a key and influential place on the Partnership Board, having been instrumental in the development of the project and having the largest population that will benefit directly from the scheme. The Landscape Partnership will also build on the recent publication of the Local Plan in which the Council has reaffirmed its commitment to protecting and enhancing green infrastructure, including the Green Belt and also the Land of the Fanns Partnership, Thames Chase Community Forest, the All London Green Grid, Rainham Wildspace and the Roding, Beam and Ingrebourne Catchment Partnership.
- 3.8 The Land of the Fanns Landscape Partnership Scheme is an ambitious 5 year programme currently comprised of 26 individual projects. The Scheme is aimed at engaging local communities of Havering, Barking & Dagenham, Thurrock, Brentwood and south-west Essex with the natural, geological, archaeological and built heritage of their local area.
- 3.9 The overall value of the Scheme is £2.4m. The HLF contribution of £1.359m makes up 56% of the overall cost of the Scheme with the remaining c £1million comprised of a mixture of cash, in-kind and voluntary contributions from various sources. The Council would not be accountable for the match funding elements of the project.

- 3.10 Failure to collect sufficient evidence to support claims could result in a risk to the accountable body. A robust form of capture of volunteer time spent, and/or contributions towards each project will be collected and collated by The Land of the Fanns Scheme Manager. This will presented to accountable body before any funding applications are made to HLF.

4. The Partnership

- 4.1 Delivery of the Scheme will be overseen by a Board with representatives from 9 organisations listed above. The Board will meet on a quarterly basis. The Council will be represented on the Board.
- 4.2 The Land of the Fanns Partnership Agreement provides that the Council, as the Accountable Body, will be responsible for managing and administering the Grant. The mechanism for this will be set out in a Partnership Agreement by reference to the delivery framework, called the Landscape Conservation Action Plan. This formed the main part of the successful application providing the detail for delivery of the scheme and its legacy.
- 4.3 This report seeks to formalise the Council's membership of the Partnership in order to facilitate the delivery of the Scheme over the next 5 years, in accordance with the terms of the bid submission. The report also seeks formal agreement for the Council to accept a grant of £1.359m from HLF in its capacity as the Accountable Body for the Landscape Partnership. This is required as the receipt of grant funding in excess of £0.5m constitutes a Key Decision.

REASONS AND OPTIONS

5. Reasons for the decision:

- 5.1 The receipt of grant funding in excess of £0.5m constitutes a Key Decision for the Council.
- 5.2 The Constitution sets out that pursuant to the delegated authority for general functions in Part 3 Section 2.1 in the following paragraphs to Cabinet:-
- (g) To allocate and control financial and land and property resources, to determine priorities in the use of these resources, and take any other action necessary to achieve those objectives; and
- (r) To be responsible for all executive matters even if not expressly set out in Part 3 of this constitution.
- 5.3 Pursuant to Corporate Functions under Part 3 Section 2.2:-
- (a) To take decisions on all matters relating to the Council's finances including but not exclusively:
- (i) budgetary control

5.4 In terms of partnership working the Constitution sets out that pursuant to the delegated authority for general functions in Part 3 Section 2.1 in the following paragraphs to Cabinet:-

(k) To oversee and take responsibility for effective joint work with partner agencies.

(m) To affiliate with and appoint representatives to outside bodies, where these are not specifically identified elsewhere in this constitution.

5.5 And in part 3 section 2.5 the following functions may be delegated to individual cabinet member by the leader:-

(l) To promote effective relationships and partnerships between the Council and all other bodies and agencies affecting the community.

6. Other options considered:

6.1 Other options considered are that the Council does not enter into a partnership with others to deliver the Land of the Fanns Landscape Partnership Scheme and does not accept a grant of £1.359m from the Heritage Lottery Fund. This option is rejected as the Council would lose its share in a valuable partnership and lose funding for a scheme which will deliver multiple benefits for local communities in terms of the built and natural heritage and green infrastructure and the delivery of the original objectives of the Thames Chase Community Forest.

IMPLICATIONS AND RISKS

7. Financial implications and risks:

7.1 The value of the Delivery stage of the Scheme is £2.434m. The HLF contribution of £1.360m constitutes 56% of the delivery stage cost of the Scheme. The remaining £1.074m comprises of a mixture of secured and non-secured funding from other grant funding bodies, Non-Cash contributions and voluntary contributions from various sources. The Council will not be accountable for the match funding elements of the project.

7.2 As the accountable body there is a risk to the council of loss of funds if Partners spend does not form part of the eligible expenditure covered by the grant. There will be a requirement of the legal agreement between the Council and the Partnership to mitigate this risk and to ensure the correct documentation and governance is in train to satisfy the requirements of the grant protocol.

7.3 There are plans to develop strong programme management including a dedicated delivery team reporting directly to the Partnership Board, which includes the Council. The delivery team will comprise four members of staff including a Scheme Manager, two Engagement Officers and a part-time Finance and Admin Officer. The team will be fully funded by the Lottery grant and other secured match funding under the employment of Thames Chase Trust, who are the lead partner, and based at the Thames Chase offices at the Forest Centre. This team will provide the

Cabinet, 11 October 2017

lead in terms of administering the grant and the means of avoiding financial risk to the Council.

- 7.4 In terms of delivery the Partnership will sign up to a Partnership Agreement which establishes the Council as the Accountable Body. The delivery framework, the Landscape Conservation Action Plan, provides the detail for delivery of the scheme and its legacy.

The below tables contain the following assumptions

- 7.5 Table 1 is based on the HLF grant agreement and therefore shows 100% of costs inclusive of non-cash/volunteer time.
- 7.6 The process HLF uses means that by the end of the project there is normally a small surplus. This is allocated based on a legacy plan. In order to obtain the full HLF funding relating to Years 6 - 10 the Partnership will need to identify as part of their Management and maintenance plan a further £0.064m worth of volunteer time. The mechanism for insuring this will be developed in the form of a HLF Approved Legacy plan which is scheduled to be produced in year
- 7.7 Resources have already been allocated within years 1 - 5 of the project to ensure that this is achieved.
- 7.8 It should be noted that figures within table 2 are on an accruals basis and not cash. When reviewing on a cash basis the maximum anticipated use of LBH funds in any one year prior reclaiming from HLF is c£0.03m. In some instances the Partner organisations require forward funding i.e. LBH to provide funding to the partners then subsequently reclaim from HLF Quarterly in arrears. It is intended that this will be reconciled by the end of the 5 year term with total amounts owing to LBH from the HLF claim not exceeding £0.030m
- 7.9 VAT where partners are not able to claim VAT this has been identified within the HLF agreement, where they will expect to receive 56% of the VAT amount through grant claims.

Cabinet, 11 October 2017

Table 1 Land of the Fanns	Years							Grand Total
	1	2	3	4	5	6 - 10	1 - 10	
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23		
Total Estimated Project Cost (Per HLF Agreement)	0.304	0.627	0.751	0.346	0.292	0.114		2.434
Volunteer and non cash contributions contained within the HLF Agreement								
Total Estimated Payments	0.304	0.627	0.751	0.346	0.292	0.114		2.434
Funded by								
Other Secured funding	(0.100)	(0.036)	(0.015)	(0.005)	0.000	0.000		(0.156)
Other unsecured funding required	(0.195)	(0.311)	(0.049)	(0.020)	(0.022)	0.000		(0.597)
Volunteer and non cash contributions	(0.025)	(0.038)	(0.057)	(0.041)	(0.045)	0.000		(0.207)
Other funders for Management and Maintenance	0.000	0.000	0.000	0.000	0.000	(0.050)		(0.050)
HLF at 56% of estimated costs up to value of £1,359,700								
(Final claim will not recoupe c£3k)	(0.170)	(0.351)	(0.421)	(0.194)	(0.160)	(0.064)		(1.360)
Total Estimated funding	(0.491)	(0.736)	(0.541)	(0.260)	(0.227)	(0.114)		(2.370)
Total financial impact	(0.187)	(0.110)	0.210	0.086	0.065	0.000		0.064
Table 2 Requirements of LBH	Years							
	1	2	3	4	5	6 - 10	1 - 10	
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Grand Total	
Funding to partnership in advance of HLF Claim	0.063	0.090	0.107	0.100	0.088		0.448	
Funding to partnership post HLF Quarterly Claims	0.107	0.261	0.314	0.094	0.075	0.064	0.915	
Total funding required by Partners	0.170	0.351	0.421	0.194	0.163	0.064	1.362	
Funded by								
HLF Claims (on an accruals basis)	(0.170)	(0.351)	(0.421)	(0.194)	(0.227)		(1.363)	
	(0.170)	(0.351)	(0.421)	(0.194)	(0.227)	0.000	(1.363)	
Total impact on LBH	(0.000)	(0.000)	(0.000)	0.000	(0.064)	0.064	(0.000)	

8. Legal implications and risks:

- 8.1 This report seeks approval for the Council to enter into a Partnership Agreement with others to deliver the Land of the Fanns Landscape Partnership scheme. As the Executive is responsible for approving delegations, including frameworks for partnerships, the Council's membership of the Land of the Fanns Landscape Partnership requires Cabinet approval.
- 8.2 The report also seeks approval for the Council to accept a grant of up to £1.36 million from Heritage Lottery Fund in its capacity as Accountable Body for the Land of the Fanns Landscape Partnership scheme.

- 8.3 A key decision is an executive decision likely to result in the Council incurring expenditure, or making a saving, either of which is significant, being in excess of £500,000. Savings includes expenditure avoided, additional revenue income generated or capital receipts obtained. The receipt of grant funding by the Council as detailed in the body of the report accordingly constitutes a Key Decision requiring Cabinet approval.
- 8.4 Further, Contract Procedure Rule (CPR) 25.2 provides that where the Council receives funding in excess of £500,000, a report will be presented to CMT for approval to enter into the Grant Agreement (or other funding arrangements) and to record the availability of funding subject to the terms of the grant.
- 8.5 The report details that the Council will be acting as the Accountable Body for the Land of the Fanns Landscape Partnership, with responsibility for administering and distributing the Heritage Lottery Fund grant.
- 8.6 CPR 25.4 provides that where the grant funding is for use by a third party, the obligation to account for the funding contained in the grant terms will be included in the agreement with the third party. The terms of making the grant/funding shall include a clause to competitively tender for the services, supplies or works, and reflect the Council's strategic policies and objectives in so far as they apply to, or are compatible with, the funding objectives set out in the grant terms imposed on the Council and CPR. Officers need to ensure that the governance arrangements for the partnership comply with this requirement.
- 8.7 In addition, CPR 26.1 states that a grant or other funding made to a third party either by the Council or from another source which may be considered as a subsidy will need to be reviewed against the EU State Aid rules. Under CPR 26.4, where State Aid is considered, the outcome of any assessment must be recorded and retained with the tender/contract documents.
- 8.8 If it is intended that an officer or Member sit on the Board he or she will need to be given an indemnity under the Local Authorities (Indemnities for Members and Officers) Order 2004

9. Human Resources implications and risks:

- 9.1 There are no direct Human Resource implications and risks associated with a decision for the Council to enter into a partnership with the Land of the Fanns Landscape Partnership or with the decision for the Council to accept a grant of £1.359m from HLF in its capacity as the Accountable Body.
- 9.2 Membership of the Partnership and delivery of the Council's function as the Accountable Body will be managed within existing staff resources in the Development Service.
- 9.3 Delivery of the Land of the Fanns Landscape Partnership Scheme will comprise a dedicated team of four members of staff including a Scheme Manager, two Engagement Officers and a part-time Finance and Admin Officer. The team will be funded by the Lottery grant, employed by Thames Chase Trust and based at the

Thames Chase offices at the Upminster Thames Chase Forest Centre. This team will provide the lead in terms of administering the grant in close liaison with Council staff in the Development Service and in oneSource.

10. Equalities implications and risks:

- 10.1 As part of the development phase for the Land of the Fanns Landscape Partnership Scheme an Audience Development Plan was commissioned. This identifies key sectors of the community currently under-represented in terms of their relationship to the landscape, and has been used to inform the delivery plan.
- 10.2 The Scheme will ultimately engage all sectors of the community and have a positive impact on people from all protected characteristics, with children and young people (and their parents and/or carers), older adults, disabled people and those from disadvantaged backgrounds being amongst the groups that will benefit the most. It is also envisaged that this Scheme will increase social inclusion and improve community cohesion in Havering by bringing local people together and by providing them with opportunities to take part in various environmental and other activities.

BACKGROUND PAPERS

None

Appendix: Summary of LCAP (Landscape Community Action Plan)