

Norfolk Strategic Planning Framework



OCTOBER 2024

MEMORANDUM OF UNDERSTANDING

**Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme
Fund Governance and Management**

**Memorandum of Understanding
Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme
Fund Governance and Management**

Between:

NORWICH CITY COUNCIL
AND
BRECKLAND COUNCIL
AND
BROADLAND DISTRICT COUNCIL
AND
NORTH NORFOLK DISTRICT COUNCIL
AND
SOUTH NORFOLK COUNCIL
AND
BOROUGH COUNCIL OF KINGS LYNN AND WEST NORFOLK
AND
BOROUGH COUNCIL OF GREAT YARMOUTH
AND
THE BROADS AUTHORITY

'the parties'

1. Purpose

- 1.1. This Memorandum of Understanding ('MOU') sets out the agreed working relationship between the parties regarding the governance and management of the Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Fund.
- 1.2. This MOU will be valid until it is terminated by the Parties. It will be reviewed and updated only where any of the signatories deem it necessary.
- 1.3. This MOU is not intended to create legal or binding obligations and will not be enforceable. It describes the understanding between the parties for the governance and management of the Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Fund.

2. Background to the Management of the GIRAMS Scheme

- 2.1. Since it was first identified that recreational pressures from growth were having an impact on designated Habitats Sites across Norfolk, Norfolk Local Planning authorities have been working on the production of a mitigation scheme and looking at how such a scheme would be implemented.
- 2.2. As the scheme is a county wide one it would be challenging and inefficient for it to be managed by all LPAs and so over the course of the last 4 years a number of options have been explored in detail about how it would be best managed. These options include the scheme being managed by Natural England, local nature groups and via a standalone organisation. During 2022/23 significant effort was put into setting up a scheme managed by the county council and more recently via Norfolk Environmental Credits. All options mentioned have been ruled out for various reasons.
- 2.3. Although Nutrient Neutrality has impacted the contributions to the scheme, Natural England have made it clear that they are concerned that the management of the scheme has not been implemented given that the tariff has been collected since 31st March 2022. This has made it imperative that a solution is found. Given that other options have been exhausted, it has led to the conclusion that the scheme is best managed by one of the Norfolk LPAs that are impacted by the scheme and a request was made in late 2023 for LPAs to come forward to help provide a solution.
- 2.4. A proposal was put forward for Norwich City Council to host the Delivery Manager, there would be a number of benefits to this:
 - As Norwich don't have any of the habitat sites within its administrative it would be unlikely to be seen to 'favour' any particular sites in the county and the 'reach' of Norwich residents covers many of the impacted sites.
 - It is centrally located in the county
 - Norwich have already successfully managed central funds on behalf of the districts for the work of the NSPF and for Nutrient Neutrality
 - Norwich already host the Norfolk Strategic Planning Programme Manager and this role can be used to manage the individual that is brought in given their close involvement with the work so far.
 - Some sort of interim arrangement needs to be in place to ensure that as soon as the footprint mitigation plan work is complete projects can start to be brought forward; the Norfolk Strategic Planning Programme Manager can cover the Delivery Manager role in the short term until funds are available in all districts to support the Delivery Manager role.
- 2.5. Footprint Ecology have been asked for an independent view of the cost for the delivery manager and £59K has been quoted for this role. This is calculated as: £40,000 annual salary, plus 35% (to cover NI, superannuation, etc.) and £5000 per annum support costs).
- 2.6. The option for Norwich to host this role was discussed at the December 2023 NSPG and was generally supported. In late March 2024 the proposal was put forward to Norwich City Council's 'ELT' meeting for approval to host and employ the role, and this was agreed.

3. Roles of the parties

- 3.1. Having already considered a number of different organisations in the management of the GIRAMS tariff and the concerns raised within these as to how the fund is managed, it is important that these concerns are clearly addressed in the approach to NCC managing the fund. This means that a straightforward approach should be taken to reduce complexity and possible issues. The role and NCCs responsibilities should be limited as set out below:
- NCCs role in the management of the GIRAMS fund will be limited to the recruitment, employment and management of the delivery manager on behalf of all LPAs in the county and the holding of a central 'pool' of funds collected by all LPAs.
 - Other than for the management of the delivery manager role (and any related support -eg IT or HR support etc.), no other resource will be provided by NCC for the management of the GIRAMS fund unless agreed by LPAs and paid for via the fund.
 - The LPAs will transfer funds collected every 6 months to NCC. For LPAs that collect the tariff via S111, funds should only be transferred to NCC once the development has planning permission, and the development has commenced.
 - The delivery manager will be informed by each authority of the amount collected and ready to be transferred, for which developments it applies and a Purchase Order will be raised by each LPA for this amount. NCC via the delivery Manager will then invoice each LPA for this amount.
 - Solely to ensure that tariff monies are ringfenced for use on GIRAMS mitigation and do not have to be returned to Local Planning Authorities, the LPAs should not include repayment clauses as standard within any S106 agreements. All tariff monies should be used within a reasonable time period to avoid any repayment requests.
 - NCC will not be responsible for any work delivered by the delivery manager, any projects that are part of the programme or any failure of projects either to be delivered or to have the expected impact
 - Responsibility for the programme will rest with the GIRAMS board. Once the programme is approved, the delivery manager will be able to release funds from the central pool to the agreed projects.
 - NCC via the delivery manager will regularly update LPAs on the funds held in the programme and how money from the fund has been spent and on which projects
 - The role of the Delivery manager will be limit to the organisation of the programme and to the management of some county wide projects where consultants are involved eg county wide dog project/gazetter, monitoring etc
 - Where projects involve the employment of staff either temporary or permanent, this will only be via a third party/stakeholder who will generally be the site owner/land manager etc.
 - Also project delivery of new infrastructure to a site eg footpaths, signage, fencing etc. will also have to be organised, managed and delivered by a third party or stakeholder. Any maintenance will also be the responsibility of the third party or stakeholder.
- 3.2. The Delivery Manager role will be managed by the Norfolk Strategic Planning Programme Manager who's time will also be charged to the fund (up to the agreed budget of £5,000 per annum) and any issues with the performance of the Delivery Manager can be raised with them.
- 3.3. The Delivery Manager will be recruited by Norwich City Council in line with the Job Description and Person Specification as agreed (see appendix 1).
- 3.4. The governance of the GIRAMS fund is set out in further detail in the GIRAMS Board Terms of Reference. This will form the basis of how the programme is developed and the schemes agreed to deliver the GIRAMS Mitigation for Norfolk.

This will be achieved through the working values of the collaborative working between the parties:

- Work in good faith and in an open, co-operative and collaborative manner.
- Work on a consensual unanimous basis.
- Work together in the spirit of mutual trust and integrity.
- Add value and ensure a commitment to deliver.
- Communicate openly about concerns, issues and opportunities.
- Adhere to the governance models as agreed in the Terms of Reference for the board.
- Act in a timely manner.

3.5. No Party shall make any public statement with respect to this MOU without the prior written consent of the other Parties, unless it is required by law or regulation, in which case it will (to the extent that it is legally possible and / or reasonably practicable) consult with the other Parties as to the timing and content of such disclosure.

3.6. It should be noted that by signing this document, the parties are not committing to legally binding obligations. It is intended that the parties remain independent of each other and that their collaboration does not constitute the creation of a legal entity, nor authorise the entry into a commitment for or on behalf of each other.

Signed on behalf of NORWICH CITY COUNCIL

Signed on behalf of BRECKLAND COUNCIL

Signed on behalf of BROADLAND DISTRICT COUNCIL

Signed on behalf of NORTH NORFOLK DISTRICT COUNCIL

Signed on behalf of SOUTH NORFOLK COUNCIL

Signed on behalf of BOROUGH COUNCIL OF KINGS LYNN AND WEST NORFOLK

Signed on behalf of BOROUGH COUNCIL OF GREAT YARMOUTH

Signed on behalf of THE BROADS AUTHORITY

Appendix 1 – Delivery Manager Job Description/Person Specification

Job description



Job title:	Norfolk RAMS Delivery Manager		
Post number:			
JE reference:		Grade of job:	7/8
Service:	Planning		

Job purpose:

The Norfolk RAMS (Recreational Impact Avoidance and Mitigation) Delivery Manager will support Local Planning Authorities in meeting their statutory obligations to mitigate against adverse effects at internationally designated sites from the 'in-combination' impacts of residential development that is forecast to take place across Norfolk.

The role will lead on the day-to-day management of the Norfolk RAMS mitigation programme, maintaining operational and financial oversight, ensuring compliance with the overall Scheme. The role will be responsible for the development and monitoring of relevant, externally delivered projects/work-streams, in line with the programme objectives. These will include strategic partner initiated and delivered projects. A key function of the role will be the management of an extensive stakeholder network (Norfolk's LPAs, Natural England, Landowners, Conversation bodies, Nature partnerships, and other stakeholders) and steering collaborative working, in order to deliver the mitigation to prevent additional disturbance to internationally designated wildlife sites and habitats.

Key responsibilities of the role include:

- Development and delivery of Norfolk RAMS mitigation programme, agreeing the programme with the RAMS Board and reporting progress to the Board
- Bringing forward projects for the programme and establishing how they are best delivered based on where mitigation is required
- Overseeing the implementation of the programme and the strategic partners delivery of the projects
- Monitoring the success of the mitigation, the ongoing impacts on sites and the suitability of the mitigation package going forward
- Partnership working, promoting strong working relationships with a diverse range of stakeholders, often with competing and conflicting requirements
- Reviewing and monitoring of project progress, liaising and reporting to the Environment Manager on matters relating to strategy, resource, risk, schedule and budgetary control of projects
- Keeping up to date with relevant legislation
- Source and support partner projects for funding opportunities to support the RAMS Programme objectives
- Working across various diverse locations within the County, with a mix of office and some field work

Organisation structure:

Norfolk Strategic
Framework Programme
Manager

Norfolk RAMS Delivery
Manager

Key result areas

- 1** Ensure the Norfolk RAMS Programme is delivered in line with its objectives. Maintain financial and operational oversight of the programme and projects, reporting to Norfolk RAMS Board and Norfolk Strategic Framework Programme Manager.
- 2** Maintain details of contributing developments and the designated site mitigation these have funded for reporting to Norfolk LPAs.
- 3** Manage projects/work-streams, directing strategic partners to deliver work on time and to budget.
- 4** Review and report on project programmes and budgets. Provide clear information on projects for governance and reporting to the Norfolk RAMS board.
- 5** Develop and support partnership working with an extensive, cross-sector range of organisations, to ensure projects are delivered by the right organisations in the most cost effective way, maximise impact and avoid duplication of effort. This will include working with Norfolk LPAs, Non-Government Organisations, Government Agencies, Community Groups, Landowners, Nature/Conservation Partnerships and elected Members.
- 6** Monitor impacts of completed projects on recreational disturbance, investigate further work required and input into further strategies to mitigate and reduce disturbance.
- 7** Managing the RAMS fund, ensuring contributions are received and project payments are made, raising invoices and purchase orders as required.
- 8** Lead effective secretariat function to the Norfolk RAMS Board including scheduling and administering meetings
- 9** Act as an ambassador for the authorities, ensuring a professional conduct is always maintained. Facilitate liaison between all Norfolk LPAs, the Norfolk RAMS board, external stakeholders and associated projects/initiatives, to avoid duplication of work and to add value/maximise results

General requirements

Post holders will be expected to be flexible in their duties, including occasional evening and weekends, and carry out any other duties commensurate with the grade and falling within the general scope of the job, as requested by management.

Duties and responsibilities must be carried out in accordance with relevant Norwich City Council policies and procedures, within legislation and any code of professional ethics of relevant professional body.

All employees are expected to maintain a high standard of customer care in the context of the Council's core values, to uphold the Equality and Diversity Policy and health and safety standards and to participate in personal learning and development necessary to the post.

Person Specification



Job title:	Norfolk RAMS Delivery Manager		
Post Number			
Reports to (title):	Norfolk Strategic Framework Programme Manager	Service:	Planning
JE reference:		Grade of job:	7/8

Essential criteria

1. Qualifications	<p>An appropriate degree qualification or equivalent experience with transferable skills and experience</p> <p>Business Administration/Project Management qualification or equivalent experience</p> <p>PRINCE2 Practitioner, MSP programme management certification, or equivalent other qualification or applied experience.</p> <p>Evidence of continued professional and personal development</p> <p>Valid driving license</p>
2. Experience	<p>At least 3 years post graduate experience with a local authority or conservation organisation.</p> <p>Experience of directing projects to deliver environmental outcomes, through collaboration and engagement with project teams, partners and external stakeholders</p> <p>Experience of developing bid documents</p> <p>Significant experience in cross-sector stakeholder working and management of project partners</p>
3. Knowledge/ understanding	<p>Knowledge of environmental designations and legislation</p> <p>Competent verbal communications skills including public speaking/presentations at meetings and conferences</p> <p>Knowledge of Government Environment policy and strategy</p> <p>Fieldwork and report writing skills</p> <p>Understanding of conservation management</p> <p>Knowledge and understanding of EU Procurement Directives and government best practice for contract management</p> <p>Knowledge and understanding of external funding programmes</p>

4. Skills/ability

Management of stakeholders

Strong analytical skills, able to demonstrate budget and delivery monitoring

Excellent attention to detail with a proactive, practical and commercial approach

Strong communication and interpersonal skills to develop and manage relationships with stakeholders and partners. Able to effectively communicate ideas and concepts verbal and in writing.

Able to manage expectations and negotiate sound commercial outcomes.

Takes responsibility for outcomes is proactive and dynamic in solving problems

Ability to prioritise effectively

Flexible to support changes to work plans