

# Executive

## 11 February 2011

Report of Head of Planning

Report No. 99/10

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Wards affected: Abingdon, Faringdon, Grove and Wantage

To: EXECUTIVE

DATE: 11 February 2011

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## Joint Environmental Trusts - Future Working Arrangements

### Recommendation of Executive to Council

1. Agree to wind up the council's joint committees (Joint Environmental Trusts (JET)) for Abingdon, Faringdon, Grove and Wantage.

### Recommendation to Executive

2. That the JET bank accounts are closed and any outstanding uncommitted JET funds due to be returned to the council are offered as a grant to the relevant Abingdon, Faringdon and Wantage town council and Grove parish council for environmental improvements in accordance with the partnership grant terms and conditions and any town/parish council funds are transferred to the respective council.

### Purpose of Report

1. Following consultation with the relevant town and parish councils on the future working arrangements of the Joint Environmental Trusts (JETs), this report considers the responses made and suggests a way forward to administer partnership grants for environmental improvements in Abingdon, Faringdon, Grove and Wantage.

## **Strategic Objectives**

2. The work involved with the JETs meets our objectives to work in partnership to sustain vibrant market towns whilst ensuring we provide value for money services that meet the needs of our residents and service users.

## **Background**

3. Following the 2009/10 budget process, the funds for the four JETs was reduced and all officer technical advice and project management on environmental, landscape and conservation matters were withdrawn because of staff reductions. Although projects nearing completion were seen through by officers, no further projects were taken on board by the district council. It is important to recognise that in recent years staff time spent on these projects has been significant and had greatly outweighed, in cost terms, the grants provided. In addition, although the council provide admin and financial support, this is only likely to continue until the end of March 2011.
4. These changes meant there was a need to review the working arrangements of the JETs. The executive member for planning and the leader/deputy leader, supported by senior officers met with representatives of Abingdon, Faringdon and Wantage town councils and Grove parish council to consider the future of the JETs. This approach reflects joint working and mutual agreement as set out in the Constitutions for each of the JETs. The meetings occurred during April/May 2010.
5. Following these meetings the executive member for planning agreed that the council should formally consult with the relevant town and parish councils on the options for future working arrangements. A consultation letter was sent out in July and sought comments by 1 September, although two councils asked for an extension of time in order to respond.

## **Consultation**

6. The council formally consulted on the following three options and invited alternative options:
  - (i) The town/ parish council runs the JETs, e.g. taking on the administration and responsibility for running the JETs as a sub-committee of its council and managing contracts for works. This would include employing professional bodies to provide technical advice, prepare and implement environmental projects. The district council would provide grant funding via its partnership grant scheme, which means grant is allocated on a project specific basis. Membership of the JET would be a matter for the town/ parish council, but there is an expectation that while the district council provide funding district councillors as well as other relevant bodies would be co-opted on to the JET.
  - (ii) The district council provides funding to town/parish councils in accordance with the council's partnership grants scheme and associated monitoring arrangements, and both parties agree that the JETs are wound up. The town/ parish council administers the grant without involvement from other parties other than as it wishes.

- (iii) The district council awards a set grant to each of the three towns and one parish council, which is funded out the council's partnership grants scheme. The town/parish councils match fund the grant offer. A task group is set up, known as JET, comprised of town/ parish and district councillors to agree JET grants and oversee delivery of the projects. The town/ parish council holds the responsibility for administration of the JET task group, financial management of the JET grant and contract management. A protocol would be required for the operation of the JET task group and the award of grants.

## Consultation responses

7. The outcome of the town/parish consultation is summarised in the table below:

| Town/Parish Council | Option selected  | Comments   |
|---------------------|--|--|
| Abingdon            | (i) Wind up JET and the town/ parish council run a new form of JET                                     |  |
| Faringdon           | (ii) Wind up JET and community groups bid for grants   | Final meeting 16 Sept – wants clarity on uncommitted funds and outstanding projects  |
| Grove               | (iii) Wind up JET and the town/ parish council run a task group with matched funding from the councils | Seeking a set grant awarded to the parish council, want to know the outcome as soon as possible in order to set the budget for 2011/12   |
| Wantage             | (i) Wind up JET and the town/ parish council to run new form of JET                                    | Reluctantly favours option 1. Request that JETs are reintroduced in the future. Concern about the uncertainty of securing grant through the community grants scheme. Want advice about setting up independent trust. |

8. There were no alternative suggestions made by the town/parish councils.
9. In addition to the responses received, the chairman of the Letcombe Brook Project requested to meet the council. The executive member for planning and the leader met with a representative of the Letcombe Brook Project, the project officer and a senior officer. Notwithstanding the funding of the project the key issue for discussion was whether there was justification for changing the client role of the district council and the reporting lines of the project officer. The role of this officer is to maintain, improve and enhance the brook and local environment in terms of nature conservation and public access. It is recognised that over the last six years of the project, an additional £140,869.08 has been raised for capital works and environmental improvements, including flood alleviation. The project officer is employed by the district council on an annual contract and is line managed by the shared planning policy manager. The post is funded by annual contributions from the Wantage and Grove trusts (£6,124 each), Environment Agency (£8,500) and

Letcombe Parish Council (£600). It is considered that the client role provided by the district council functions effectively and absorbs minimal officer time (limited officer time/cost – 6/10hrs per year). It is suggested that this arrangement continue for 2011/12.

## **Suggested future working of JETs**

10. In considering the outcome of the consultation three out of the four town/parish councils supported the options to wind up the existing Joint Environmental Trust and set up a new environmental improvement group or committee run by the town/parish councils. One of the parish/town councils expressed a concern about securing funding through the district council's partnership grants scheme (bidding on an individual project basis) and sought confirmation of an annual grant from the district council.
11. It is therefore suggested that the new working arrangements for the JETs is a combination of option (i) and (iii). This would mean the current Joint Environmental Trusts are wound up. That the town/parish council could set up its own mechanism (sub-committee or group) to administer, consider and manage (e.g. contracts) environmental improvement schemes in its town/village. Subject to the council's budget, the town/parish council can seek a partnership grant for environmental improvements. This approach is consistent with the council's system for administering grants and with the resources available, is the most efficient and effective way to operate. A partnership grant service level agreement would be used to confirm the arrangement for each town/parish council. There would be no required match funding; it would be up to the town/parish council to determine if and how much it contributed to environmental improvement schemes. Membership of the town/parish council mechanism to administer environmental improvement schemes would be up to the town/parish council.
12. The relevant town/parish council can choose whether they wish to take up this option.
13. Subject to funding being made available by the relevant parties, the district council would continue next year 2011/12 to contract and manage the Letcombe Brook Project Officer who would continue to report to the steering group consisting of a councillor from Grove and Wantage parish/town councils and from the district council.

## **Financial Implications**

14. Grant funding to the JETs was provided on a mutually agreed basis, as set out in the relevant constitution. However, because of the increasing budget constraints facing the district council the grant allocation in 2010/11 was only 50% of that offered in 2009/10. Faringdon Town Council decided not to pay its contribution for 2010/11 (£2,000) because of the uncertainty about the future of the JET so the district council contribution has also not been paid. The district council's provisional budget allocates a similar grant to the four town/parish councils for next year, 2011/12. However, this cannot be confirmed until the council's financial position is finalised in February. There can be no guarantees in respect of future annual grant for projects as requested by the town/parish councils. The partnership grants cost centre would hold any available grant for the town/parish council until requested.

15. Any outstanding grant offers made by the existing JETs which have not yet been claimed but are included in the JET's budgets as commitments need to be paid when the work has been satisfactorily completed. This will require a small amount of planning staff time in the short term to monitor and approve the works.

The likely financial position of the JETs at March 2011 is as follows:

|               | Funds held now | Expected to spend | Still committed at that date | Unspent/ uncommitted at March 2011 |
|---------------|----------------|-------------------|------------------------------|------------------------------------|
| Abingdon JET  | £74,168        | £6,438            | £38,400                      | £29,330                            |
| Faringdon JET | £18,554        | £9,500            | £0                           | £9,054                             |
| Grove JET     | £12,470        | £147              | £7,624                       | £4,699                             |
| Wantage JET   | £14,326        | £5,540            | £8,124                       | £662                               |
| Total         | £119,518       | £21,625           | £54,148                      | £43,745                            |

16. On the basis that the JETs are to be wound up, in accordance with the existing JET constitutions, any unspent funds should be returned to the respective councils in direct proportion to the contribution made. Similarly any private donations, uncommitted, shall be returned. Councillors may wish that the district councils returned contribution is offered to the relevant town/parish council as a partnership grant. In this instance the expenditure must be accounted for and spent on environmental improvements and its associated costs. It is suggested that this would be appropriate and supports the council's corporate objective for partnership working and to sustain vibrant market towns through environmental improvements.

### **Outstanding projects to be reviewed**

17. A number of projects will need to be referred back to the town/parish councils for a review on how they can be progressed. There is no staff capacity at the district council to undertake this work. These projects include;

Abingdon; improvements to the junction of Stratton Way and Park Road, blue plaque to commemorate Arthur Preston, tree planting around the town and realignment of finger posts.

Faringdon; restoration of tombstones and memorials in All Saints Churchyard

Grove; village entrance feature, tree planting around the village

Wantage; improvements to Alfreds Bath, Locks Lane – to be taken on by the Letcombe Brook Project Officer.

18. It is suggested that the Grove and Wantage town/parish council review the agreed project work and future work for the Letcombe Brook Project Officer. They have agreed to fund the post in 2011/12. This commitment is included in the above table (para 15).

## **Legal Implications**

19. Legally, the JETS are formal joint committees under s102 of the Local Government Act 1972. Should the council decide to cease these formal joint committees, a formal resolution will be necessary. Thus this matter will need to be referred to Council.

## **Risk**

20. Environmental projects carried out by district council officers on behalf of the JETs ceased from April 2010. Specialist expertise can be bought by the Trusts, to assist development of projects and implement schemes. However, this is likely to be more expensive than the previous arrangement. This will mean that the ability of the Trusts to carry out environmental improvements will be reduced. If specialist advice is not available to the Trusts the quality of projects could suffer or liabilities (defects) could result.

## **Conclusion**

21. Following the reduction in staff the council has not been able to provide specialist support to the JETs during 2010/11. As part of delivering savings for 2011/12, the administrative and financial management support will cease at the end of March 2011. Town/parish council have been consulted on alternative working arrangements to the JETs and a way forward can be secured, by the town/parish councils administering and running environmental improvement schemes. Subject to funding, the district council can offer partnership grants to the four town/parish councils, to assist in delivering environmental improvements within the town/parish.

## **Background papers**

None