

**APPOINTMENT TO EXTERNAL BOARDS – LOCAL NATURE PARTNERSHIP
(NATURAL CAMBRIDGESHIRE) GOVERNANCE**

To: Environment & Sustainability Committee

Meeting Date: 9th July 2020

From: Steve Cox – Executive Director, Place and Economy

Forward Plan ref: Not Applicable **Key decision:** No

Outcome:

- 1** Committee made aware of the changes to the Local Nature Partnership's (LNPs) constitution
- 2** Approval for the council to offer some support to the LNP
- 3** A Member is appointed onto the LNP Board of Trustees

Recommendation: The Committee is asked to:

- a) endorse the Council's request to be appointed to the new Board.
- b) confirm Member appointment for the Board
- c) agree to fund the 'new' Natural Cambridgeshire up to £5,000 for 2020/21.

<i>Officer contact:</i>		<i>Member contacts:</i>	
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1. BACKGROUND

- 1.1 Natural Cambridgeshire is the Local Nature Partnership (LNP) for Cambridgeshire, working to achieve a high-quality natural environment for the area of Cambridgeshire and Peterborough and to ensure the natural environment is valued and integral to local decision making. The guidance on LNPs states that they should become local champions influencing decision-making relating to the natural environment and its value to social and economic outcomes, in particular, through working closely with local authorities, Local Enterprises and Health and Wellbeing Boards.
- 1.2 In 2019 Natural Cambridgeshire launched its ambition to 'Double Nature' across Cambridgeshire and Peterborough to deliver a greatly enhanced environment where nature and people thrive and businesses prosper. Natural Cambridgeshire now wants to boost the delivery of this ambition, recognising that nature-based solutions will play a crucial role in our combined efforts to address the challenges of our climate and biodiversity emergencies. In addition, a thriving natural world and environment will improve the overall attractiveness of Cambridgeshire and Peterborough as a place to live, work, play and invest.
- 1.3 Additionally, the direct and indirect value of a rich environment has been brought into sharp focus by the COVID-19 pandemic and the council and Natural Cambridgeshire both support the idea of a 'green recovery', led by a high quality natural environment. Projects like the Future Parks Accelerator, where the council and six other local authorities are working closely with the LNP to look at long-term operating models for parks, can help to deliver these aims, as can the LNP's Developing with Nature developer guidance.
- 1.4 To take the ambition forward, Natural Cambridgeshire has set itself seven key objectives over the period 2020-23 which includes encouraging and measuring the enhancement and creation of habitats that help double nature. They wish to work with all statutory bodies to ensure that the 'Doubling Nature' target is recognised in key policies, including climate change policies. In addition to this they wish to work in partnership with the Cambridgeshire and Peterborough Combined Authority (CPCA) to progress a Doubling Nature Natural Capital Investment Plan to engage forward-thinking local businesses and investors in creating a healthier natural world for the benefit of business and wider society. Appendix 2 provides more details about the delivery plan for the LNP.
- 1.5 Natural Cambridgeshire recognises that to deliver its objectives, it needs to make changes to the way it operates. Specific outcomes they are looking to achieve are to:
 - Establish Natural Cambridgeshire as a Charitable Incorporated Organisation (CIO) with its own governance documents and bank account;
 - Develop a financial model for how Natural Cambridgeshire can become financially independent over a three year period;
 - Ensure the smooth administration of the partnership over this period (secretariat support) and create and embed best practice for the effective functioning of the partnership.
- 1.6 At the moment Natural Cambridgeshire has an Executive Board, a larger Partnership Board, a Natural Environment Policy and Planning Forum and also a number of working groups. In order to streamline the situation, the Policy and Planning Forum will now be merged into the LNP Partnership Board with the first joint meeting held on 17th June 2020.

2 MAIN ISSUES

- 2.1 At present, Natural Cambridgeshire is an unincorporated body, with no legal structures or bank accounts and no staff resources. In this position it is unable to apply for and hold grants of its own. Natural Cambridgeshire therefore wants to establish itself as a self-funding CIO that is recognised by all partners, statutory, private sector and community organisations, as the key strategic organisation across Peterborough and Cambridgeshire for the promotion of a better, healthier and more biodiverse environment. As part of this the Council is being asked to input to the proposed terms of reference (ToR) for the new CIO, decide whether it would want to be on the new Trustee Board and whether it can offer any financial or resource based support.

Membership

- 2.2 The new Natural Cambridgeshire will consist of a Board of Trustees and a Partnership Forum. The Board of Trustees will consist of approximately 15 members and be the executive function of the charity and its decision-making body (see Draft Terms of Reference in Appendix 1).
- 2.3 A CIO has been chosen as the appropriate vehicle for Natural Cambridgeshire because it allows members of the **Board** to have either limited liability for its debts or no liability at all (see Appendix 3). The LNP's intention is for liability to be limited at either nothing or £1 (one pound).
- 2.4 Natural Cambridgeshire is keen to have CPCA and local authority involvement in the Board. It is however conscious of the number of local government organisations in Cambridgeshire and wants to ensure the Board of Trustees does not become unwieldy in size or an entirely local authority affair. The proposed ToR therefore suggest having one representative of the CPCA and some representatives from local authorities (number to be confirmed). As a partner that has contributed a lot to the LNP and is also the largest council and local authority landowner, the county council has asked if it can have a seat on the Board. Hence Committee is asked to nominate a member to sit on the Natural Cambridgeshire Board of Trustees should this be confirmed.
- 2.5 It should be noted that the Member on the Board is **not** being asked to represent the county council. The charitable status of the new Natural Cambridgeshire means that Trustees will have to act in accordance with its charitable purpose, and the charity will benefit from the knowledge and expertise that Trustee brings. Government guidance is clear that the Trustee must "do what you and your co-trustees (and no one else) decide will enable the charity to carry out its purpose" and "avoid putting yourself in a position where your duty to the charity conflicts with loyalty to any other person or body".¹
- 2.6 The updated **Partnership Forum** will be open to any organisation or individual resident or with a commercial base in Cambridgeshire and Peterborough who formally supports the charity's objectives. There will be no limit on its numbers and it is expected that Cambridgeshire County Council will be represented here at officer and councillor level. The councillor on the Board would be welcome to attend the Partnership Forum too.
- 2.7 The council's existing LNP representative is Cllr Lina Nieto who currently sits on the Partnership Board, not the Executive Board.

¹ Further guidance is available from Gov.uk at <https://www.gov.uk/guidance/charity-trustee-whats-involved> and <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees#sA2>

- 2.8 The importance of links between the LNP and the Health and Wellbeing Boards should also be noted.

Support

- 2.9 The question of direct support in terms of funding and/or provision of administrative and secretarial support going forwards needs to be addressed. The Council works with a large number of different charitable organisations and could not provide funding and administrative/secretarial support to all of them. Hence a decision needs to be made by Members for communication to Natural Cambridgeshire.
- 2.10 In recent years the LNP has received a small amount of financial support from key partners on an annual basis, normally £1,000 per organisation. Cambridgeshire County Council and Peterborough City Council have contributed slightly more and the county council's total financial contribution to date is £8,700 since 2015/16. There is no provision for ongoing revenue support from within existing budgets but given that the LNP is considered a valuable and worthwhile partnership for Cambridgeshire and Peterborough, it is recommended that in 20-21 a sum of up to £5,000 is made to the LNP as a one-off grant to help them establish the CIO.
- 2.11 For the previous eight years the council's Greenspace Manager, and/or other members of the Flood Risk and Biodiversity Team, have also allocated up to two days a week for work related to the LNP. This has included co-ordination and secretariat support to the various different levels of LNP governance, in terms of shaping direction and meetings, managing its budget and website, organising agendas and speakers, agreeing meeting dates and taking minutes.
- 2.12 The LNP would benefit from ongoing support of this type. Being the secretariat has kept the council involved in LNP activities, but it also uses resources that are now needed to enable the council to deliver its own Climate Change and Environment Strategy goals (many of which contribute to the LNP's 'Doubling Nature' targets). Development and implementation of a tree strategy to underpin the planting of new trees and our air quality and climate change aims, has, for example, become a top priority for the council. The strategy workstreams require significant input from the Greenspace Manager. Other sources of resource within the Place & Economy Directorate have also been considered but none is available and hence continuing to carry out the LNP secretariat role is unfortunately no longer sustainable for the authority.
- 2.13 The committee is therefore asked to confirm its approval for the council to provide a sum of up to £5,000 to the LNP in 20-21.

3 ALIGNMENT WITH CORPORATE PRIORITIES

3.1 A good quality of life for everyone

- Natural Cambridgeshire will aim to promote the social, health, economic, environmental and heritage benefits of having a high quality environment for the people of Cambridgeshire and Peterborough.

3.2 Thriving places for people to live

- The vision of Natural Cambridgeshire is to have as its foundation, thriving and healthy places to live, alive with green space and wildlife, that is accessible, both financially and physically to all, and with clean air and water

3.3 **The best start for Cambridgeshire's children**

- Natural Cambridgeshire aspires to have healthy communities in healthy environments, underpinned by the promotion of nature throughout the education and skills agenda.

3.4 **Net zero carbon emissions for Cambridgeshire by 2050**

- Becoming a Charitable Incorporated Organisation will help Natural Cambridgeshire to be more active in delivering projects to create a cleaner, greener Cambridgeshire.

4. **SIGNIFICANT IMPLICATIONS**

4.1 **Resource Implications**

There are no significant implications within this category.

4.2 **Procurement/Contractual/Council Contract Procedure Rules Implications**

There are no significant implications within this category.

4.3 **Statutory, Legal and Risk Implications**

There are no significant implications within this category. Legal will be asked to review and be satisfied with all information related to the liabilities of a Trustee before the appointed Member formally signs up to the Board.

4.4 **Equality and Diversity Implications**

There are no significant implications within this category.

4.5 **Engagement and Communications Implications**

There are no significant implications within this category.

4.6 **Localism and Local Member Involvement**

The council needs to confirm that it wants to have a seat on the Board of the LNP and accordingly appoint a Member(s) to sit on each of the Board and the Partnership Forum.

In the preparation of strategic plans, local planning authorities and county councils in England, and prescribed public bodies must cooperate with Local Nature Partnerships; having regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making. This should just be noted by those Members appointed to the Boards and those involved in plan-making at the county council.

4.7 **Public Health Implications**

Access to green space and nature is recognised by Public Health as a key need for maintaining physical and mental wellbeing. The work of the Local Nature Partnership and the target of 'Doubling Nature' contribute to this need, as does the council's own Environment and Climate Change Strategy action plan.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Sarah Heywood
Have the procurement/contractual/Council Contract Procedure Rules	Yes Name of Officer: Gus De Silva

implications been cleared by the LGSS Head of Procurement?	
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes Name of Monitoring Officer: Fiona McMillan
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Elsa Evans
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Jo Dickson
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Quinton Carroll
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Iain Green

Source Documents	Location
DRAFT Natural Cambridgeshire Terms of Reference	Appendix 1
Natural Cambridgeshire Delivery Plan	Appendix 2
Charitable Incorporated Organisation (CIO) Constitution	Appendix 3