

# Planning Committee

06 December 2024

Agenda item number 14

## Norfolk Recreational Impact Avoidance and Mitigation Strategy - Delivery management

Report by Planning Policy Officer

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### Summary

This paper introduces a reviewed Action Plan, a reviewed tariff as well as the proposed governance arrangements for administering the collected tariff associated with the Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GI RAMS).

At the October 2024 Norfolk Member Forum, the Action Plan and tariff and the Memorandum of Understanding were considered and endorsed. It is now for each Norfolk Local Planning Authority to endorse the Action Plan, tariff and governance arrangements.

### Recommendations

- i. To endorse and recommend to the Broads Authority the new Norfolk Recreational impact Avoidance and Mitigation Strategy (RAMS) Action Plan plus tariff and governance arrangements (as stated in the Memorandum of Understanding).
- ii. To recommend that the Broads Authority nominates either the Chair or Vice-Chair of Planning Committee to the Norfolk GI RAMS overseeing Board.

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## 1. Introduction

- 1.1. Habitat Regulation Assessments (HRAs) are a legal requirement for Local Plans, are a soundness and legal consideration at examination, and a legal consideration at planning application stage. These assessments are undertaken to ensure that the Plans' policies and proposals will not result in any likely significant effects on internationally recognised wildlife sites (habitat sites) and, where the potential for such impacts arises, implement an agreed process of mitigation.
- 1.2. All Norfolk authorities' Local Plans have been subject to an HRA and conclude that the in-combination growth that is planned has the potential to have significant adverse impacts on designated wildlife sites.
- 1.3. Local Planning Authorities (LPA) are the designated competent bodies and are responsible for ensuring that policies and proposals contained in their Local Plans do not have an adverse effect on the integrity of habitat sites.

- 1.4. Recreational pressures from growth and their impact on designated Habitats Sites is a cross-boundary issue which affects all Local Plans in Norfolk. Individual authorities can only address the effects of growth within their own boundaries. The best available evidence categorically and irrevocably identifies likely significant effects from in combination growth because of cross boundary growth. With the best available evidence now clearly showing that the levels of growth proposed trigger in combination effects across the LPAs from growth that originates outside each LPA, the issue is better addressed at a more strategic level like the approach taken in many other parts of the country.
- 1.5. Working through Norfolk Strategic Planning Member Forum, the member authorities have developed a single shared approach to first understand the pressures and impacts of residential growth on European protected sites and then how to address potential impacts.
- 1.6. The Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy was endorsed in 2021, and all local authorities have now introduced the tariff for relevant development.
- 1.7. This paper introduces a reviewed Action Plan, a reviewed tariff as well as the proposed governance arrangements for administering the collected tariff. At the October 2024 Member Forum, the Action Plan and tariff and the Memorandum of Understanding were considered and endorsed. It is now for each Norfolk Local Planning Authority to endorse the Action Plan, tariff and governance arrangements.

## 2. Review of the mitigation package

- 2.1. Alongside the implementation of the tariff, members requested the review of the mitigation package. The key principle of the review was to provide a more detailed action plan of mitigation through:
  - A detailed review of all individual Natura 2000 sites looking at site improvement plans, existing access and visitor management measures and identify other proposed measures within the protected sites
  - The identification of the degree of intervention needed to avoid likely significant effects based on visitor increases expected
  - Working with site managers/landowners to identify and prioritise the key projects and priorities
  - Maximising use of existing resources at sites
  - Ensuring the Action Plan covers the period to 2046 to align with any forthcoming local plans
- 2.2. The consultant Footprint Ecology was commissioned in early 2023 to complete this work and an update on progress was given to members of the Norfolk Member Forum in January 2024. This work is now complete, and the Action Plan accompanies this report. The report has identified a large range of projects to be delivered across the county in the next 22 years costing £22 million.

- 2.3. The Action Plan will lead to an increase in the tariff cost per dwelling from £221.17 to £293.53.
- 2.4. The Action Plan is now ready for endorsement by each Norfolk LPA.

### **3. Governance and management of the fund**

- 3.1. In December 2021, the Norfolk Member Forum agreed to the principle of exploring the option of Norfolk County Council being the accountable body and hosting organisation for the Mitigation Fund. Unfortunately, it was not possible to reach agreement with Norfolk County Council in managing the Mitigation Fund, so officers have been developing a governance process with the delivery manager role being hosted by a district instead.
- 3.2. Norwich City Council has offered to host the delivery manager and will hold a central pool of funds for projects. However, it will not be accountable for the operation of the scheme which will remain with the Norfolk LPAs and the Board that will be set up to oversee the spend and implementation of the RAMS projects.
- 3.3. It is still proposed that a Board:
  - is responsible for overseeing the delivery of the mitigation identified as being required to support the planned growth for the county;
  - is granted the power, by each LPA, to make decisions regarding the Norfolk RAMS fund and the projects it is used to deliver;
  - agrees an annual programme of projects to be delivered by the Norfolk RAMS Mitigation Programme which will be funded wholly from the Norfolk RAMS Fund and
  - will meet every six months to review progress.
- 3.4. The Board will be made up of Members from all LPAs supported by Ecologists and/or planning officers from all LPAs. The most appropriate member for the Broads Authority would be either the Chair or Vice-Chair of the Planning Committee. There may be other groups that support the Board in an advisory role or provide advice; this may include Natural England, the Environment Agency and Ecologists from other interested groups.
- 3.5. A steering group created terms of reference for the overarching board and a job description for the Delivery Manager Role.
- 3.6. A Memorandum of Understanding has been drafted which sets out the operation of the scheme alongside the terms of reference with Norwich City Council acting as host authority.
- 3.7. The Action plan, tariff and Memorandum of Understanding are now ready for endorsement by each LPA. Following endorsement by Planning Committee, they will be presented to the Broads Authority in January 2025 for agreement.

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Date of report: 11 November 2024

Appendix 1 – [Norfolk RAMS Action Plan](#)

Appendix 2 – [Memorandum of Understanding: Norfolk RAMS Programme Fund Governance and Management](#)

# 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 31<sup>st</sup> 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.
  - All tariff monies should be ringfenced for use on GIRAMS mitigation only.
  - 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



**NORWICH**  
City Council

<b>Job title:</b>	Norfolk RAMS Delivery Manager		
<b>Post number:</b>			
<b>JE reference:</b>		<b>Grade of job:</b>	7/8
<b>Service:</b>	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 (Norfolks 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



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

## Essential criteria

<b>1. Qualifications</b>	<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>
<b>2. Experience</b>	<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>
<b>3. Knowledge/ understanding</b>	<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