

7. UNDERTAKING PROJECTS FOR MOORLIFE 2020 PARTNERS (MB)

Purpose of the report

The purpose of this report is to ask this committee to approve the continuation of the Authority's work with the MoorLIFE 2020 project partners to deliver projects outside the scope of that project for the duration of it; where this Authority, through the Moors for the Future staff team, will provide a project management role to continue to improve SSSI conditions across the South Pennine Moors SAC.

Key issues

1.
 - The large scale works being undertaken by the Authority through the Moors for the Future Partnership's MoorLIFE 2020 and Private Land projects offer significant opportunities to use existing tenders and contracting arrangements to deliver works in addition to these projects and make use of economies of scale.
 - This is in line with the Business Model, in the Moors for the Future Partnership Business Plan, approved by this Committee.

Recommendations

2.
 1. **That ARP Committee approve in principle working with the MoorLIFE 2020 project partners until the end of the project (29 February 2021) to deliver additional projects outside the EU funded project.**
 2. **That ARP Committee delegates specific projects approval (including signatures of related agreements with partners), to a maximum combined value of £1.5 million in any financial year, to the Director of Conservation and Planning, in consultation with the Head of Law and in agreement with the Chief Finance Officer.**
 3. **That the Authority may, subject to compliance with its procurement standing orders, enter into contracts for the delivery of an approved project.**

How does this contribute to our policies and legal obligations?

3. This project will directly benefit the strategic outcomes of this Authority contributing to National Park Management Plan 2012-17 Objectives: DL1/ DL3.1 / DL 3.4 / DL 3.5 / DL 4.2.1 / WI 4.3 / WI 4.5 / ES1

These arrangements will also build upon the Authority's good engagement with several major partners (Severn Trent, United Utilities, Yorkshire Water, RSPB, National Trust, Environment Agency and Natural England) who have significant influence over the management of the moorland landscape. Within this partnership, significant positive changes to the nature of the South Pennine Moors Special Area of Conservation have been delivered and will continue to be delivered.

Background

4. The MoorLIFE 2020 project, funded by the EU and water companies, has secured €15,996,416 to undertake capital works, science and communications actions across the South Pennine Moors Special Area of Conservation (Technical Summary attached – Appendix 3). This work is being co-funded by the three water companies within our area of work (Severn Trent, United Utilities and Yorkshire Water Services) and being delivered by the Authority, RSPB, National Trust and Pennine Prospects, with support and advice from the Environment Agency and Natural England.

During the PR14 water company programming period, the water companies also sought funds to deliver the catchment based benefits to their Drinking Water Protection Zones that MoorLIFE 2020 will deliver. This happened at the same time as the MoorLIFE 2020 application was being assessed and meant that, following their price determination, further funds for works were available as the MoorLIFE 2020 project funded 75% of these works. In total, during the bid development, works of approximately £25 million were identified as being required across the SAC, which the water companies have many of the funds secured to deliver. This means that there are significant additional funds available to deliver works that are of importance to the conservation status of the National Park.

5. Since 2004 Yorkshire Water has been delivering vital moorland restoration in the Dark Peak and South Pennines using the Authority, (via the Moors for the Future Partnership), as the project management and delivery agent. From 2010 until 31 March 2015 there was a Service Agreement in place between the PDNPA and Yorkshire Water with committee authority, (Minute Ref 9/11).

YWS has already approached the Authority, through Moors for the Future, and expressed a desire to procure the Authority's services. Moors for the Future would like to be in a position to accept this work on behalf of the Authority, most of which is repetition of works already carried out very successfully in recent years. In addition, works have been already been identified on behalf of both Severn Trent and United Utilities, although they have not yet asked us to undertake additional work for them.

The work requested by YWS impacts on land immediately adjacent to other existing Authority project areas, (e.g. South Pennines Commons Project, Private Lands Project, and most significantly, MoorLIFE 2020), and so there is a clear benefit of synergies between these projects, allowing better value for money and more seamless landscape restoration in the Dark Peak and South Pennines.

6. RMT approved a proposal to work with Yorkshire Water within the life of the MoorLIFE 2020 project to a maximum value of £150,000 (RMT 22/15). However, Yorkshire Water have subsequently come back to us and asked us whether we can undertake additional works on Snailsden, totalling £156,000. This is a site that we are planning to undertake other separate work on through MoorLIFE 2020. The works cannot be funded through MoorLIFE 2020 as the scale of works required across the SAC will require funds from multiple sources. There will be clear demarcation between activities which are being funded by different projects; for example, on this site, grip blocking is being proposed/funded by Yorkshire Water whilst sward diversification is planned through MoorLIFE 2020.
7. Severn Trent, United Utilities and Yorkshire Water are co-financers of the ML2020 project. National Trust, Pennine Prospects and RSPB are Associated Beneficiaries of the project. Natural England and Environment Agency are statutory regulators and Assurance Board members for the project. All of these organisations currently provide core funding to the Moors for the Future Partnership team and have Statements of Intent in place which set out the Authority's relationship with them in respect of the MFFP.

Proposals

8. The ML2020 project partners regularly ask whether the Authority, through the MFF programme team, can manage and deliver works on their behalf, using the economies of scale and efficiencies of landscape scale working that our work programme generates.

We ask that this committee authorises the Moors for the Future programme team to manage and undertake works on behalf of the MoorLIFE 2020 partners outside the current project funding. A maximum value of £1.5 million in any financial year is proposed, with approval for this be delegated to the Director of Conservation and Planning, in consultation with the Head of Law and the Head of Finance and subject to a recognised purchase order from the relevant partner, and an agreed monthly expenditure and invoicing profile, before works commence.

9. This approach would enable the Authority to retain the leadership role that it has with the Moors for the Future partners, which has been critical in maintaining the Partnership since work started in 2002, and has continued to deliver the successes that have occurred across the Dark Peak and South Pennines, as described in the Peak District State of Nature report.

Are there any corporate implications members should be concerned about?

10. **Financial:**
As the Authority may be required to hold contracts for each project, our proposal is that these would not exceed a total project spend of £1.5 million in any given financial year. Works completed will be invoiced promptly in line with the agreed works profile and the cash flow implications will be limited. The partners are not considered to be a debt risk in respect of their creditworthiness. The Head of Finance will monitor the cashflow impacts of the cumulative programme and will consider whether financial progression of approved projects in hand is satisfactory before approving any further project requests delegated under this proposal.

Purchase orders will be obtained from the partners for all contract costs and management fees prior to the Authority engaging a contractor for any works.

Management fees will be recovered immediately following the completion of a contract.

Cost allocations will be done promptly and accurately using existing allocation methods to ensure that project recharges are done correctly and in a timely manner, ensuring that only eligible expenditure is charged to each individual project; this is particularly critical for the MoorLIFE 2020 project.

Should further work be requested beyond this value in any given year, separate authorisation from Committee will be sought.

11. **Risk Management:**
Please see attached the Risk Assessment, to be included in the Moors for the Future Operational Plan for 2017/18. This identifies that lack of engagement with partners is a significant risk to further delivery of projects by the Moors for the Future programme.

The Director and Head of Programme Delivery will ensure that there is capacity within the Moors for the Future programme team to complete the work. The team delivers projects as a programme and the ability to approve projects alongside other major projects means that they can be slotted into that programme, and we can therefore reduce the number of tenders that need producing. We have the ability to bring in casual workers to help with the supervision of works on the ground and this can be undertaken very quickly. If we miss a matching project delivery slot, it is much more complicated to undertake these projects.

We do not envisage additional staff requirements at the moment (outside our existing pool of casual workers) however, that will be evaluated as part of our on-going

programme management, with any new posts being funded on an at-cost basis through agreed project management fees.

Projects will be managed according to our Project Management toolkit, using the skills of our current project managers, ensuring that the synergies of delivering complementary projects can be realised.

12. **Sustainability:**

Protection of the peatlands of our core work area is a key part of protecting land based carbon, which internationally has the potential to have a huge impact on climate change. In addition, the ecosystem service benefits of our blanket peat work is well known, reducing the risk of flooding, improving water quality and improving the landscape, so highly valued for recreation.

From a business sustainability perspective, this proposal fits within the context of the Moors for the Future Business Plan 2014-2020 (Appendix 1). Undertaking additional projects for our partners, building on work which is already being done, is a key part of our business model and has allowed massive improvements to the landscape and conservation of the Dark Peak and beyond. Creating synergies between projects is a key component of the sustainability of the Moors for the Future programme.

13. **Health and Safety**

All projects will be managed as currently, in discussion with the Authority's Health and Safety Officer. This includes use of Construction (Design and Management) Regulations, where applicable.

14. **Background papers** (not previously published)

None

Appendices:

Appendix 1 – Moors for the Future Business Plan 2014-2020

Appendix 2 – MFFP Risk Assessment 2017/18

Appendix 3 – MoorLIFE 2020 Technical Summary

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