

**BASINGSTONE CANAL PARTNERSHIP
MEMORANDUM OF AGREEMENT: OCTOBER 2008**

Introduction

- 1 The Basingstoke Canal Partnership is set up to manage the Canal, as a navigation, for the benefit of Canal users, to optimise its biodiversity and conservation value and to provide wider benefits for amenity, drainage and in other appropriate ways. The Partnership consists of Surrey and Hampshire County Councils, the riparian borough and district councils and a number of other organisations and individuals who are committed to the Canal's conservation, improvement and sustainable use.
- 2 The aim of this memorandum of agreement is to set out the management arrangements including roles and responsibilities for the Partnership as from April 2009 onwards.
- 3 The Basingstoke Canal is owned, on behalf of the Partnership by Surrey and Hampshire County Councils. All members of the Partnership will contribute to the operation and success of the Canal as set out in this memorandum.

Strategic Direction and Business Plan

- 4 The Partnership's medium term strategic direction is to be set out in its Strategic Plan which will be discussed and agreed in March 2009 to run from 2009 to 2014. The Strategic Plan will be reviewed at the least at five yearly intervals. The Strategic Plan will set out what the Partnership is, who is a member of the Partnership and the Partnership's aims, objectives, organisation and management.
- 5 The Strategic Plan will be underpinned by a number of operational plans. These will include:
 - Service Plan – setting out the management and operational objectives and performance measures and medium term targets. This Plan will refer to a number of other operational documents such as the Emergency Procedures which set out operational procedures in particular for dealing with emergencies on the Canal to ensure the safety of Canal users, the public and property.
 - Conservation Management Plan – setting out the assessment of the Canal's habitats and natural and semi-natural features, and plans and programmes for the management of those habitats and features. Related documents will include a tree management policy.
 - Asset Management Plan – setting out the assessment of the Canal's structures, and plans and programmes for the management, restoration and repair of those structures and the funding of this.
 - Canal Centre Development Plan – setting out the assessment of the opportunities for use of the Canal Centre including the adjoining land within the Canal estate, and plans and programmes for its management and

development including for income generation.

- Recreational Development Plan – setting out the assessment of the recreational potential of the Canal and plans and programmes to realise the potential including for boating, moorings, angling, walking and in other ways.
- 6 It is expected that the Strategic Plan to be agreed in 2009 will refer back to the document setting out options for future management of the Canal which was prepared and agreed by the Joint Management Committee in 2007. In particular it is expected that the Strategic Plan 2009 to 2014 will include a programme of work to consider the possibility of establishing a Trust to run the Basingstoke Canal. Clearly if in due course a Trust was to be agreed and established then this memorandum of agreement would be reviewed and revised in line with the agreed new arrangements.
- 7 Implementation of the Strategic Plan will be set out on a yearly basis in an annual business plan. This will set out a work programme for the year and related targets and performance measures and a budget for the year. A business plan will be agreed in March 2009 for the year April 2009 to March 2010 and thereafter a draft business plan will be considered in September in each successive year.

Decision Making

- 8 The Partnership is directed by a Joint Management Committee which comprises 16 elected Members of the funding local authorities and up to 8 advisory non-voting co-opted members. This Committee has responsibility under the Local Government Acts, delegated by the constituent local authorities, for the executive management of the Canal. The Committee's current terms of reference and constitution is attached as Annexe 1. The chairman and vice chairman of the Joint Management Committee rotates alternately between Surrey and Hampshire County Councils on a two year cycle. The Committee meets twice a year – in March and in September and is held in public. The Committee will approve the Strategic Plan, the annual business plan, the annual budget and major issues of policy and direction.
- 9 The Joint Management Committee and the Canal Director are supported and advised by a Joint Advisory Group of the main stakeholders. This comprises officers from each of the funding local authorities, plus representatives from Natural England, the Surrey and Hampshire Canal Society and a number of interest and user organisations. The current membership is set out in Annexe 2. The Joint Advisory Group meets twice a year in advance of the Joint Management Committee and is not a public meeting.
- 10 Between meetings of the Joint Management Committee meetings of the Canal Steering Group are held, normally on a quarterly basis. The Steering Group consists of the chairman and vice chairman of the Joint Management Committee, the Heads of Countryside Service in Surrey and Hampshire County Councils, the Canal Director and Surrey County Council's Countryside Contracts Manager. The Group has oversight of management of the Canal and supports the work of the Canal Director.

- 11 Meetings of the Joint Management Committee, the Joint Advisory Group and the Steering Group will be organised by officers of Surrey County Council including preparing and distributing agendas and minutes.

Staffing

- 12 The staff who manage the day-to-day work to look after and operate the Canal are part of the Basingstoke Canal Authority. The staff are headed by the Basingstoke Canal Director. The Canal Director reports to the Joint Management Committee and between meetings of the Committee to the Canal Steering Group.
- 13 The staff are employed by Hampshire County Council and the Canal Director reports on day-to-day basis to the Head of Countryside Service in Hampshire County Council. The staff work under the operational procedures, including financial and health and safety procedures of Hampshire County Council. This applies even where they are working on the Surrey stretch of the Canal and on that part of the Canal owned by Surrey County Council.

Budget

- 14 The Canal Director will prepare an annual business plan and work programme and an annual revenue budget for agreement by the Joint Management Committee. The revenue budget estimates will be agreed by the Committee at their autumn meeting and recommended to the local authorities for inclusion and approval in their own estimates. In preparing and monitoring the budget the Director will be assisted by staff of the Hampshire County Treasurer's Department. The revenue budget estimates will cover core running costs expenditure for management of the Canal and income from local authorities and from other sources. Core running costs will include staffing costs (including salaries and on costs, travel and subsistence, training and recruitment), office expenses, tools and equipment, materials and other work and project costs. The revenue budget has been expected to cover other necessary day-to-day running costs of the Canal, including dredging, bank and towpath repair and repair and replacement of elements of the Canal structure, such as lock gates. However the revenue budget currently cannot cover these latter elements.
- 15 The Canal Asset Management Plan will make a long term assessment of the predicted need for repair and replacement of the Canal structure and that Plan will form the basis for an agreement by the Joint Management Committee and with the two County Councils as owners of the Canal as to the apportionment of the long term costs of structural repair and the need for an annual capital budget. At present any capital costs are met by the two County Councils.
- 16 Funding contributions from the constituent riparian borough and district councils towards the revenue budget requirements are determined annually according to an agreed formula. This formula is computed by length of Canal bank in each local authority's area and the local authority's population within 5 miles of the Canal. The formula and the proposed contributions for 2009/10 are set out in Annexe 3. The Basingstoke Canal Authority in conjunction with Hampshire County Council administer the financial arrangements including gathering in financial contributions and paying invoices and costs.

- 17 The Basingstoke Canal Authority receives additional income from a number of sources including boat and fishing licences, business licences and sales and charges at the Canal Centre and elsewhere. In addition the Canal Authority seeks to raise funding and contributions in kind from all available sources. An Income Generation Plan will be prepared for agreement by the Joint Management Committee. In addition to core running costs the partners will contribute as appropriate to project costs. Section 106 agreements and planning infrastructure charges could contribute to project costs. The Surrey and Hampshire Canal Society in particular raises funding from grants and its members towards project costs and contributes considerable volunteer effort to project work, repair and maintenance.

Service Level Agreements

- 18 Rolling three year service level agreements will be prepared. The service level agreements will define the services to be delivered and received, ie annual work programmes. The work programmes will be based on the work programmes in the annual business plan agreed by the Joint Management Committee. Service level agreements will be signed between the six district and borough councils and the Basingstoke Canal Authority/Hampshire County Council. A draft of this service level agreement is attached as Annexe 4. A separate service level agreement will be signed between Surrey County Council and the Basingstoke Canal Authority/Hampshire County Council.

Termination and Review

- 19 If for any reason, any partner wishes to terminate the arrangements they will give at least 12 months notice.
- 20 This memorandum of agreement will be reviewed every five years from 2009 on, at the time the Strategic Service Level Plan is reviewed.