

## Appendix 1 – Draft Partnership Agreement

### North Thames Fisheries Local Action Group

### DRAFT

### Partnership Agreement between Thames Estuary Partnership and Southend-on-Sea Borough Council

February 2017

#### **The Purpose of the Partnership Agreement**

This document sets out the main roles and responsibilities for the two main organisations in relation to the North Thames Fisheries Local Action Group (NTFLAG) – Thames Estuary Partnership (TEP) and Southend-on-Sea Borough Council (SBC).

#### **What is the NTFLAG?**

FLAGs are partnerships between fisheries actors and other local private and public stakeholders. Together, they design and implement a bottom-up strategy that fits and addresses their area's needs supporting economic, social and environmental outcomes. FLAGs aim to improve the sustainable development of fisheries sectors in a given area by working through public-private partnerships at the local level. Each FLAG manages a budget to support a range of projects proposed and delivered by a wide variety of local stakeholders. The North Thames Fisheries Local Action Group (NTFLAG) will provide the governance structure and build the capacity necessary to act as a catalyst for resolving some long-standing issues and challenges relevant to the fishing industry in Leigh-on-Sea and its standing as an active port. The NTFLAG will also play a key role in informing relevant local priorities and strategies that impact on the industry and the port including economic development, shoreline and sea defences, tourism, regeneration and planning.

The overarching aim of the NTFLAG is:

*Achieving a sustainable fishing industry in the North Thames area (Thurrock to Shoeburyness), recognising its importance to the area's economy and culture, and better integrating the sector with wider community, economic, environmental and tourism outcomes. This will lead to a more seaward facing community that embraces the ethos of a healthy and productive marine environment underpinning their local economy, and engages with the industry economically and culturally.*

Each FLAG has a ring fenced pot of money of £600K for projects and £200K for administration and animation of projects. The £600K can be bid into by any stakeholder via the FLAG's project application process which the FLAG oversees and the Animator coordinates. The FLAG then submits approved projects for sign off by the MMO and issues offer letters on behalf of the MMO. The overall FLAG programme for North Thames has an intervention rate of 44:56 FLAG:Match funding.

Funding from EMFF, above and beyond the ring-fenced £800,000 for the FLAG, can also be accessed to support projects in the North Thames FLAG area. These funding applications can be supported by the FLAG and can therefore lever in extra funding to support investment in a range of projects (as long as they meet EMFF priorities). SBC can be an applicant to the EMFF, and as a public body can secure 100% funding from 'public funds' – 75% from EMFF and 25% other National funding which can include staff time (in-kind) or funding from other Government, Regional or Local Authority investment. This is a higher funding intervention rate than for other non-public organisations

(including Charities). The MMO are keen to see additional bids come forward from NTFLAG partners to complement the core allocation of £800,000.

### **MMO EMFF and background to funding stream.**

Axis 4 of the European Fisheries Fund (EFF) 2007 - 2013 provided support for the sustainable development of fisheries areas. It supported measures to promote economic diversification and an improved quality of life in areas affected by decline in fishing activities. An important innovation element in the implementation of Axis 4 was the emphasis on encouraging and mobilising local actors from all sectors to work together as partners through a FLAG. In the European Maritime and Fisheries Fund (EMFF) 2014 – 2020, the EU is looking for FLAGs to build on the Community-Led Local Development (CLLD) approach that is central to this funding stream. This CLLD approach was previously developed through the LEADER programme. FLAGs are the CLLD 'brand' for fisheries. The Marine Management Organisation (MMO) is the Accountable Body for all FLAGs and the fund holder for the EMFF. Funding is through reimbursement directly to the lead applicant on specific projects and evidence of spend must meet MMO criteria.

### **What is the timescale of the FLAG?**

The Local Development Strategy covers the period of Jan 2017- Jan 2020. All claims have to be made and reports signed off by the end of March 2020.

### **TEP's Responsibilities as Lead Partner for the NTFLAG**

The Lead Partner is the sole body that undertakes a legal agreement with the MMO. TEP has signed a Framework Agreement with the MMO upon receiving the official offer letter. The Lead Partner shall be responsible for ensuring that the FLAG complies with the terms of the Framework Agreement and it shall indemnify the MMO in respect of any loss or damage occasioned by a breach of the Framework Agreement by the FLAG. This includes ensuring the NTFLAG is delivering against the Local Development Strategy, undertaking its role fairly, transparently and inclusively.

The Lead Partner also provides all the administrative management, reporting and financial management of the administration and animation costs for the NTFLAG. Administration will be based at TEP offices in London. TEP will recruit one part time (0.4FTE) Administrative Officer who will provide logistical support for the NTFLAG Steering Committee and Management Groups including compiling meeting papers, agendas and meeting minutes; compiling project and financial reports and completing the administration around administration financial claims; set up the processes necessary for monitoring and evaluation against FLAG milestones and monitor progress for reporting and driving the delivery of the NTFLAG strategy. This position will be line managed by TEP Director Pat Fitzsimons and supported by Programme Manager Amy Pryor.

TEP will contract the full time NTFLAG Animator role to The Cultural Engine, a social enterprise based in Southend. This will ensure continuity as The Cultural Engine has been involved in and integral to the development of the NTFLAG to date. It will also ensure the NTFLAG aligns with local initiatives and maximises the local and regional match funding potential for projects as they develop. Having the Animator working in the local area will instil confidence and reassurance for the local NTFLAG members and wider community. The Animator role will be the first point of contact with all stakeholders, assist fishermen in accessing FLAG and EMFF funding, assist all project applicants in project development and applications, ensure compliance with MMO and FLAG processes and ensure that all funded project leads make timely claims and reports to the MMO. This role will be line managed by CE Director Giles Tofield. The Animator and Administrator will work closely together particularly on reporting and funding bids for match funding projects.

In summary TEP's main responsibilities as Lead Partner are as follows:

- Administer the NTFLAG Board and sub groups, attendance at all Board Meetings and relevant sub-groups
- Take responsibility for all NTFLAG reporting / returns to the MMO and financial management of the NTFLAG process directly for administration and indirectly through the Animator for individual projects
- Monitoring project delivery with the Project Animator (with input from SBC, Cultural Engine and other partners as appropriate)
- Liaising with the MMO on all issues related to project delivery and Governance of the NTFLAG
- Regular liaison with Cultural Engine, SBC and the Project Animator
- Supporting SBC to secure funding for projects that support wider NTFLAG outcomes and priorities, including assisting with liaison with the MMO, bid writing and identification of match-funding.
- Liaising with the Project Animator and Cultural Engine to arrange Board Meetings and ensuring that the Terms of Reference and Partnerships agreements for the NTFLAG are up to date and the review of the LDS and budget are completed in a timely manner for annual MMO review
- Support the whole process, working with the Project Animator and Cultural Engine In terms of promotion and publicity help to ensure that as the NTFLAG is a partnership that a single, shared and positive voice should be used to talk about the work being undertaken, with no one party generating negative press about any other partner.

#### **Southend-on-Sea Borough Council's Role in Supporting the NTFLAG**

Southend-on-Sea Borough Council (SBC) is a critical partner for the NTFLAG and it is important that a productive relationship is formed with TEP to enable all partners to work effectively on tackling the issues set out in the NTFLAG Local Development Strategy. SBC is the primary landowner of the main areas of Leigh-on-Sea likely to feature prominently in NTFLAG related projects, and is the responsible body for shoreline management and sea-defences. SBC can also play an important role as an applicant to the MMO for EMFF Core and FLAG funding (supported by the NTFLAG process).

It is important that SBC play an active role in taking forward priority projects that emerge through the NTFLAG process, including bringing forward projects and initiatives that support the future viability of Leigh-on-Sea as an active port and vibrant local economy. It is also important that SBC raise any concerns or issues through the NTFLAG Governance when projects and priorities conflict with existing or future SBC or strategic policy, or where alternative projects and initiatives have been proposed. In summary SBC will need to:

- Commit to attending NTFLAG Board Meetings
- Representation on sub-groups where relevant (particularly Leigh Quay Infrastructure)
- Seeking to support NTFLAG priorities through aligning strategy where possible / appropriate
- Align, where possible, the work of the Shoreline Strategy with that of the NTFLAG
- Support the NTFLAG to source match-funding for priority projects (including using or bending its own resources and capital investments where possible). This can be on a case-by-case basis to avoid any conflict of interest (for example where the Council wishes to bid directly to EMFF). The Council will also assist with in-kind match by providing information/financial value on staff time allocated to supporting/managing projects
- Assessed on a case-by-case basis, provide up-front funding for capital projects (in order to enable work to begin on priority projects) – recognise that TEP is not able to front-load major investments due to funding being provided in arrears. This will be up to £100,000

(excluding VAT) for each of the three years. This is likely to be where the Council is the applicant for project funding through the FLAG to the MMO, and will therefore secure a commitment directly from the MMO for funding.

- Provide oversight and where appropriate project manage initiatives that affect land or assets owned by SBC, or where there is a direct financial impact on SBC (for example is SBC is the applicant for funding, or where match-funding commitments are required by SBC).
- Working to represent the interests and priorities of the NTFLAG at a local, sub-regional and regional level (for example through the South East LEP)
- Engage regularly with the Project Animator for the NTFLAG who will be based with and managed by the Cultural Engine CIC in Southend. The FLAG Animator will assist all partners, including the Council, in accessing EMFF Core and FLAG funding.
- In terms of promotion and publicity help to ensure that as the NTFLAG is a partnership that a single, shared and positive voice should be used to talk about the work being undertaken, with no one party generating negative press about any other partner.

### Appendix 1 – FLAG Governance Overview

The below shows the outline Governance structure as agreed in the Local Development Scheme for the NTFLAG with the Marine Management Organisation. The five sub-groups are set out below the main NTFLAG Board.

