

# SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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REPORT TO                      Full Council  
AUTHOR/S:                    Head of Legal Services

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26<sup>th</sup> February 2004

## **DELEGATION OF POWERS TO CAMBRIDGE CITY COUNCIL IN CONNECTION WITH THE DESIGNATION OF LOCAL NATURE RESERVES AT NINE WELLS AND BYRON'S POOL**

### Purpose

1. To confirm delegation of South Cambridgeshire District Council's functions under Section 21 of the National Parks and Access to the Countryside Act 1972, as amended, to Cambridge City Council to enable designation as Local Nature Reserves of the areas known as Nine Wells and Byron's Pool.

### Effect on Corporate Objectives

2. The designation of the Local Nature Reserves will support the Corporate Objectives of providing Quality Village Life and a sustainable future for South Cambridgeshire. Designation of both sites will increase the amount of land in the District presently designated as Local Nature Reserves from 9.62 hectares to 15.1 hectares and is in line with Local Plan policies and Best Value Performance Indicators for Conservation.

### Background

3. Nine Wells, Granhams Road, Great Shelford, which lies entirely within South Cambridgeshire is owned jointly by the City Council and Cambridge University. Part of Byron's Pool, Grantchester Road, Trumpington and Haslingfield lies within the South Cambridgeshire District and the whole site is owned by the City Council. Cabinet resolved to support the delegation last year following consultation with the appropriate Parish Councils. By virtue of Section 101 of the Local Government Act 1972, a local authority may arrange for the discharge of any of its functions by any other local authority. As this Council operates under executive arrangements procedures set out in the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 must be followed. A Deed of Delegation has been prepared in accordance with these Regulations. The Constitution of this Council allows for delegation to and from other local authorities by Full Council, at Paragraph 11.04.

### Considerations

4. Funding is available to the City Council to designate and manage these sites. Both sites have value for local bio-diversity. There is public access to both sites, which are popular areas for recreation. Although there will be no financial or staffing implications for this Council, officers will ensure representation on any management body or consultation group which may be set up by the City Council.

### Options

5. Refuse to grant delegated powers to Cambridge City Council – this would mean an uncertain future for these sites.
6. Grant the delegation sought – this will secure the future protection of these sites for the benefit of the residents of South Cambridgeshire and the environment.

### Financial Implications

7. None. Management of the sites will be the responsibility of the City Council in respect of Byron's Pool and Cambridge University with respect to Nine Wells.

### Legal Implications

8. None

### Staffing Implications

9. None

### Consultations

10. Cambridge City Council have been fully consulted and have resolved to accept any Delegation. Their legal team have approved a draft Deed of Delegation in accordance with the legislation.

### Conclusions/Summary

11. Delegation of the functions described will have no financial implications for this Council but will provide for the future protection of these ecologically valuable sites.

### Recommendations

12. That the Delegation be confirmed and instructions be given to the Head of Legal Services to complete the Deed of Delegation of Functions to enable the designations to be made.

**Background Papers:** the following background papers were used in the preparation of this report: Cambridge City Council report to Environment Scrutiny Committee and Executive Councillor, and Report to The Leader and Cabinet of South Cambridgeshire District Council by Rob Mungovan, Ecology Officer

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