

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

11 NOVEMBER 2014

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

KENFIG NATIONAL NATURE RESERVE

1 Purpose of Report

- 1.1 The purpose of the report is to update Cabinet on progress in relation to recommendations of a previous report, dated 14 December 2010, and to seek Cabinet authorisation to cease the process of investigating alternative options for the management of Kenfig National Nature Reserve.

2 Connection to Corporate improvement Plan

- 2.1 This proposal will contribute to the Community Strategy Theme *Green Spaces* by protecting and promoting wildlife, landscapes and the general environment and enabling visitors to enjoy the area's wildlife, landscapes and natural assets.

3. Background

- 3.1 Kenfig National Nature Reserve (KNNR) comprises approximately 1300 acres of managed coastal sand dunes and wetlands on the Bridgend coastline between Porthcawl and Port Talbot and is regarded as one of the finest examples of a sand dune habitat in Europe.
- 3.2 Kenfig Pool and Dunes was designated a Site of Special Scientific Interest in 1953, a Local Nature Reserve in 1978 and a National Nature Reserve in 1989. Furthermore, in 2006 Kenfig was designated a Special Area of Conservation, under the EC Habitats Directive (Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna), giving the site both national and international protection.
- 3.3 KNNR is owned by the Kenfig Corporation Trust, and Bridgend County Borough Council (BCBC) has a lease to manage the site. Through this lease arrangement, the Council is responsible for managing and conserving the features that are protected under the above European and UK legislation. This management work is undertaken in consultation with Natural Resources Wales (NRW) through a management agreement.

4. Current Situation/Proposal

- 4.1 The recommendations of a report to Cabinet of 14 December 2010 authorised officers to enter into negotiations with Kenfig Corporation Trust to develop alternative options for the management of KNNR. The purpose of this proposal was to enhance substantially the Reserve's offer, conserve the important features of the dune habitat and secure a national profile as a visitor attraction.

4.2 Since this time, officers have undertaken the following:

Date	Action
December 2010	Officers obtain Cabinet approval to take forward discussions relating to alternative management arrangements.
September 2011	Officers meet with Kenfig Corporation Trustees to discuss maximizing the potential of Kenfig as a visitor attraction. The Trust is asked to nominate Trustees to work in partnership with BCBC officers on this project.
October 2011	Kenfig Corporation Trust state that Trustees are not prepared to join the project group.
October 2011	Officers request an opportunity for further discussion with Kenfig Corporation Trustees in relation to establishment of a project group.
To April 2012	Officers undertake initial expression of interest exercise to determine level of interest amongst relevant third parties in relation to entering into a management agreement to manage Kenfig NNR.
April 2012	Officers inform Kenfig Corporation Trust of progress and request attendance at a Trust Board meeting to seek consent to progress the procurement process.
June 2012	Kenfig Corporation Trust request further information on organisations expressing an interest before determining whether to enter into further discussions.
June 2012	Officers provide further information and request the Trust indicate by July 2012 whether they will grant consent for a third party to occupy the Reserve. It is indicated that if no response was received by this date it will be taken that consent had been refused.
October 2012	Due to length of time taken over the process to date, BCBC officers authorised by Cabinet to implement a rationalisation plan for Kenfig NNR. Staff team subsequently reduced to one and centre only open to public at weekends.
November 2012	BCBC receive confirmation from Geldards LLP on behalf of Kenfig Corporation Trust to proceed with a process of surrendering our lease with the Trust, and seeking a third party to whom Kenfig Corporation Trust will grant a new lease.
August 2013	A series of site visits took place with members of the Trust, to offer an opportunity to see some sites run by organisations that had expressed an interest in managing the reserve.
February 2014	A pre-qualification questionnaire (PQQ) was drafted by BCBC officers and agreed by representatives of Kenfig Corporation Trust and posted on the Sell2Wales website.
March 2014	Officers request attendance at a meeting with the Trust to discuss PQQs. No response was provided.
March 2014-July 2014	During this period there were a number of significant changes in personnel at the Trust.
June 2014	Officers write to the new chair and ask for a meeting of all parties. No response to this request was received.
September 2014	Officers meet with local elected members and discuss options going forward.

4.3 Despite the efforts of officers over a 4 year period, it has not been possible to reach a point where the Trust have agreed to proceed with appointing a management organisation to take over the running of the Reserve.

Proposal

4.4 The Council has a range of different responsibilities in relation to different management agreements with Kenfig Corporation Trust and NRW and as a result of funding conditions which will continue to be met until these agreements and their respective responsibilities expire, including:

- Site management functions of the Reserve
- A resource for the local community
- A base for staff and volunteers
- Accessibility to the Reserve site
- Educational facilities
- Information relating to the building and its green technologies
- Information relating to the site and its flora and fauna

4.5 In the context of these tasks, the priority, because it is a legal requirement, must be to protect and manage the ecology of the site. As a result, the main Centre building and shop will be closed to members of the public but facilities for staff and volunteers will continue to be maintained and used for this purpose. School visits will continue to be hosted by appointment only, and as resources allow. Funding opportunities will continue to be sought to improve visitor information and interpretation outside the Reserve Centre to mitigate the loss of interpretation within the building.

4.6 The Council's local Ward Members have been consulted and have indicated their acceptance of the proposals outlined above, in the absence of agreement with the Trust on alternative arrangements.

4.7 The matter has been discussed with the Kenfig Consultative Committee, which includes representatives of the Trust, Kenfig Anglers, Natural Resources Wales and Council staff.

5. Effect Upon Policy Framework and Procedure Rules

5.1 None

6. Equalities Impact Assessment

6.1 The reserve itself will remain open to the public, and the features which enable and facilitate public access will continue to be maintained. Closure of the reserve centre will not impact on the exercise of the Authority's equality duties.

7. Financial Implications

7.1 Delivery will be met using existing budgets for the remainder of existing agreements.

8. Recommendations

8.1 Cabinet is recommended to:

- 8.1.1 Note that in the past 4 years, little progress has been made to secure agreement from the Trust to allow a suitably experienced and qualified organisation to manage the Reserve and maximize its potential as a visitor attraction and natural heritage resource.
- 8.1.2 Authorise the Head of Regeneration and Development to cease the process of investigating alternative options for the management of Kenfig National Nature Reserve and to operate in line with current agreements, prioritising the Council's statutory obligations to protect the Reserve's ecological features, until current agreements expire.

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