



MEMORANDUM OF UNDERSTANDING

between the relevant authorities¹ for the Carmarthen Bay and Estuaries European Marine Site (EMS)

1. INTRODUCTION

- 1.1. This memorandum of understanding (MoU) relates to the area of land and sea included within the Carmarthen Bay and Estuaries European Marine Site, as defined by the Conservation (Natural Habitats etc) Regulations 1994.
- 1.2. This MoU is an agreement by the relevant authorities for the Carmarthen Bay and Estuaries EMS and a commitment to collaborate in and contribute as appropriate to the development and implementation of an integrated management scheme for the site so as to secure, in relation to the site, compliance with the requirements of the European Union Habitats Directive².
- 1.3. For the purposes detailed in this MoU and in the attached Terms of Reference, the relevant authorities for the site agree to be represented as the “Carmarthen Bay and Estuaries Relevant Authorities Group”. In so doing, each signatory relevant authority acknowledges that the Group does not have any executive authority, that the statutory roles and responsibilities of each individual relevant authority remain unchanged by collaborating as a Group, and that no relevant authority will have authority over any of the functions, duties or responsibilities of the other member relevant authorities.

2. OBJECTIVES

- 2.1. The principal objective of the Group is to prepare and support the implementation of a management scheme for the Carmarthen Bay and Estuaries EMS under which the functions of the relevant authorities shall be exercised so as to secure, in relation to that site, compliance with the requirements of the Habitats Directive.
- 2.2. The Group will review and revise the management scheme at regular intervals.
- 2.3. The Group will carry out its functions in accordance with the attached Terms of Reference

3. RESOURCES

- 3.1. The relevant authorities will share the costs of resourcing the Group, equally, or according to their means.
- 3.2. The Group may hold funds jointly. Any such jointly held funds will be directed towards achievement of the Group’s objectives and any purpose connected thereto, including the administrative expenses of the Group.
- 3.3. The Group may jointly apply for the grant of funds, otherwise seek or raise funds or accept the offer of funds for any purpose that furthers the objectives of the Group.
- 3.4. Management of any jointly held Group funds will be undertaken by the City & County of Swansea, Environment Department.
- 3.5. The City & County of Swansea Finance Department will oversee the accounts, as managed by the Environment Department on behalf of the Group.

¹ The meaning of ‘relevant authority’ is as defined in Regulation 5 of The Conservation (Natural Habitats &c) Regulations 1994 (SI No 2716). The relevant authorities for the Carmarthen Bay & Estuaries EMS are: Carmarthenshire County Council, City and County of Swansea, Countryside Council for Wales, Dwr Cymru Welsh Water, Environment Agency Wales, Pembrokeshire Coast National Park Authority, Pembrokeshire County Council, Saundersfoot Harbour Commissioners, South Wales Sea Fisheries Committee, Trinity House..

² Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

4. CHAIR

- 4.1. The Group shall be chaired by a member elected by consensus; the Chair will be supported by a Vice-chair, also elected by consensus. To be eligible for election a person must be a representative of a member relevant authority and have the consent of that relevant authority to be a candidate for the office. The term of office shall be one year.
- 4.2. If the Group Chair or Vice-Chair is not present at any meeting, the members present may select a chairman for that meeting from their own number.
- 4.3. If, for any reason, a Chairman is unable to complete their term of office the Group shall nominate another eligible person to fill the vacancy

5. ADMINISTRATION

- 5.1. In order to attain the objectives and to secure the proper administration of the Group, the Group will appoint someone to:
 - keep the records and papers of the Group;
 - keep records of proceedings of meetings of the Relevant Authorities Group and any working groups it establishes;
 - provide general, specialist or technical information, expertise and advice to the Group in order to develop and progress a management scheme, or to ensure the proper conduct of the Group's affairs;
 - carry out other duties as may from time to time be requested by the Group such as, but not limited to, the organisation of Group events, the publicising of the work of the Group, the raising of funds for the Group, the provision of services to the membership and the performance of other tasks relevant to the fulfilment of the Objectives of the Group.
- 5.2. The Group may be serviced by any person or persons having a responsibility for performing any of the tasks specified in para 5.1, or their representatives.

6. MEETINGS

- 6.1 The Group will hold a minimum of one meeting per year.
- 6.2 At least once a year, in the meeting falling closest to the month of September, the Group will:
 - agree a work plan for the following year;
 - receive and consider the accounts showing balance and details of income and expenditure for the preceding financial year;
 - agree the Group's resource requirements for the forthcoming financial year;
 - appoint or reappoint the Chair and Vice-chair of the Group;
 - transact any other necessary business.
- 6.3 Attendance at meetings will normally be limited to RA officers except for:
 - work experience students attending in the capacity of temporary members of RA staff, subject to notification to the Chair in advance and adherence to the ToR and MoU;
 - third parties (stakeholders, community representatives *etc*) who may be invited, or whose requests are approved, to attend specific agenda items where specialist input is required.; in such circumstances, the item will be taken at the beginning of the agenda.

7. WORKING GROUPS

- 7.1. The Group may establish working groups to address specific issues or tasks.

Reviewed February 2008; revisions confirmed 29 April 2008