

Report to: Partnerships Scrutiny Committee

Date of Meeting: 14th May 2015

Lead Member / Officer: Lead Member for Leisure, Youth, Tourism and Rural Development/Head of Highways and Environmental Services

Report Author: Countryside and Heritage Services Manager
Denbighshire

Title: Review of Designated Landscapes in Wales Stage 2
Call for Evidence

1. What is the report about?

On 25 September 2014 the Minister for Natural Resources announced an independent review into the purpose and governance of the designated landscapes in Wales, the three National Parks and five Areas of Outstanding Natural Beauty (AONB).

One of the 5 AONBs, the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty spans the county boundaries of Denbighshire, Flintshire and Wrexham.

This report provides a brief summary of Stage 1 of the Review of Designated Landscapes in Wales and explains what evidence Stage 2 is requesting. Both items of information are in Appendix 1.

The report presents a draft response (Appendix 2) to Stage 2 from DCC for members of the committee to discuss and refine.

If agreement can be reached by the Committee the final response will then be submitted to the Review Board after authorisation from Cabinet/Lead Member.

2. What is the reason for making this report?

To seek members' views on the draft DCC response (Appendix 2) to the questions raised in Stage 2 of the Review of Designated Areas in Wales. A decision is then required on whether to agree the refined draft response can be passed to Cabinet for endorsement as DCC's official response to the Review.

3. What are the Recommendations?

To discuss and recommend for approval DCC's official response to the Review of Designated Landscapes in Wales Stage 2 call for evidence.

4. Report details.

In September 2014 the Minister for Natural Resources announced an independent review into the purpose and governance of the designated landscapes in Wales. This two stage review has firstly examined the designations themselves, looking at their purposes and the merits of classifying Wales' designated landscapes under one type of designation.

The recommendations from Stage 1 are outlined in Appendix 1 under the section labelled Annex 1. The main recommendations include;

- There should be no single designation;
- There is ONE set of statutory purposes and an associated single statutory duty for both designations.
- Changing the name of "Areas of Outstanding Natural Beauty" (AONBs) to "National Landscapes of Wales"
- There should be THREE interlocking statutory purposes for both the National Parks *and* National Landscapes.

These are:

"To conserve and enhance the distinctive landscape and seascape qualities of the area," (*the Conservation Purpose*)

"To promote physical and mental well-being through the enjoyment and understanding of the landscape of the area," (*the Human Well-being Purpose*)

"To promote sustainable forms of natural resource management and economic and community development which support the cultural heritage of the area." (*the Sustainable Resource Management Purpose*)

- A new single Statutory Duty that removes the weak "have regard to" prefixes in the current duties on relevant public bodies, and replaces them with a single and clear duty: "To contribute to the delivery of the three Purposes of the National Designated Landscapes."

The report of Stage 1 will now provide the basis for proceeding to Stage 2 of the review as set out in the original terms of reference. This includes:

- Review the governance and management arrangements of the designated landscapes;
- Review and examine how any governing body/bodies would best promote collaboration and joint working while avoiding duplication; and
- Review and examine the best way for any future governing body to reinforce local accountability and decision making.

Both designations (National Parks and AONBs) currently have different governance arrangements.

The Environment Act 1995 led to the creation of independent National Park Authorities for each of the National Parks in Wales. Each Park is governed by a board comprising two thirds local councillors appointed by constituent local authorities, and one third appointed by The Welsh Ministers. Their approved revenue expenditure is set each year by The Welsh Ministers, and the authorities levy their constituent authorities for the balance of their operational budget. National Park Authorities are the planning authorities for their areas.

Most of the Areas of Outstanding Natural Beauty in Wales are overseen by a Joint Advisory Committee (JAC), with any services embedded within constituent local authorities. However, there is no central funding. The JAC is a statutory consultee on planning applications for the area.

Recently the Clwydian Range and Dee Valley AONB has moved away from this model. A Joint Committee has been formed, consisting of 2 cabinet/executive members from each of the Local Authorities. Below this a Partnership will be formed, consisting of a number of stakeholders with an interest in the AONB. This is considered a stronger model for the promotion of collaboration, better decision making and improved local accountability.

The Review has been very specific in its requirements and constructed a series of questions to help collect the evidence. Stage 2 asks the following;

1. What are the most effective governance arrangements for designated landscapes that allow them to lead on and meet ambitious outcomes within and for Wales?

In order to answer this question you may want to consider and respond to these additional, related questions:

2. In light of the Review's Stage One report and recommendations and the Minister for Natural Resources' written statement (dated the 4th March) what is your vision and ambition for the direction of Wales's designated landscapes in the medium to long term?

3. From a governance perspective, what factors are preventing and/or likely to prevent designated landscapes from achieving the vision and ambition you set out in response to question 2?

4. From a governance perspective, what factors will allow designated landscapes to achieve the vision and ambition you set out in response to question 2?

5. Are there other designated landscape/protected area governance models/approaches you wish to bring to the attention of the Review?

A draft response to these questions has been prepared for the Committee to discuss and is set out in Appendix 2.

5. How does the decision contribute to the Corporate Priorities?

The AONB has a proven track record in enhancing local communities and improving the local economy. Improving the governance of the AONB will contribute to the efficient running of the Council and improve services to our customers.

6. What will it cost and how will it affect other services?

Responding to the review will not result in any costs or affect other services.

- 7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

See Appendix 3 attached.

- 8. What consultations have been carried out with Scrutiny and others?**

This is the first report about this review to go to a Denbighshire County Council committee. The review will also be considered by the Joint Committee of the Clwydian Range and Dee Valley AONB later in the month.

- 9. Chief Finance Officer Statement**

In responding to this review there is no impact on budgets or implications of a financial nature.

- 10. What risks are there and is there anything we can do to reduce them?**

n/a

- 11. Power to make the Decision**

Section 21 of the Local Government Act 2000, and Articles 6.3.2(c) (d), and 6.3.4(ch) specify scrutiny's powers with respect to this matter.

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