

# Shropshire Hills AONB Partnership

## Draft new Terms of Reference, 30/06/09



### 1. Introduction

- 1.1. The Shropshire Hills AONB Partnership is the body responsible for coordinating the management of the **Shropshire Hills Area of Outstanding Natural Beauty (AONB)**. From 2008 to 2013, the AONB Partnership will also formally be the Local Action Group (LAG) for **LEADER** in the Shropshire Hills, a delivery element of the Rural Development Programme for England, governed by EU regulations.
- 1.2. The purposes of the national AONB designation are as follows:
  - *The primary purpose of designation is to conserve and enhance natural beauty.*
  - *In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.*
  - *Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.* (Countryside Agency, 2001)
- 1.3. Local authorities have a **legal obligation under the Countryside and Rights of Way (CRoW) Act 2000** to prepare and review a Management Plan for the AONB, and to 'act jointly' in doing this. The AONB Partnership is the body formed principally to fulfil this requirement, and includes a substantially wider membership in order to engage a range of relevant interests in the management of the area.
- 1.4. The Partnership has the **formal status of a 'Joint Advisory Committee'** under the Local Government Act to the two local authorities of Shropshire Council and Telford & Wrekin Council. The Partnership has a number of sub-groups, and its work is **supported by a staff team**, employed by Shropshire Council as host authority and accountable body (see structure diagram). Funding and management arrangements are set out in a Memorandum of Understanding between the main funders Natural England and the local authorities. The AONB Team operate under the title of the Shropshire Hills AONB Partnership, and the term 'Team' is used only where it is necessary to distinguish from the Joint Advisory Committee itself.
- 1.5. The Shropshire Hills AONB Partnership plays three main roles:
  - To **develop policy and strategy** for the area especially through the AONB Management Plan, and to influence the policies and strategies of others.
  - To **take and support action** to conserve and enhance natural beauty, to promote enjoyment, understanding and wellbeing, and to further sustainable development. Key approaches include co-ordination, advice and funding.
  - To **support the involvement of the community** in the management of the AONB, and foster community pride and capacity in relation to the Shropshire Hills.

- 1.6. As set out in a position statement of February 2008 on the AONB boundary, the Partnership will **focus its work strongly on the designated AONB area**, but will work in a flexible and pragmatic way in relation to the AONB boundary, to secure the maximum benefit for the Shropshire Hills.
- 1.7. The Partnership seeks to **add value, and engage people** in support of the AONB's purposes. It will help to tackle fragmentation and improve local accountability. The AONB's remit is broad and complex, and the Partnership will strive to raise understanding and give a high priority to **clear communication and openness**. The different groups of the Partnership will operate in ways most effective to their function, and this may include site visits, presentations, workshops and other formats in addition to traditional meetings. The Partnership will seek to **develop the roles of partners**.



## 2. Roles and Responsibilities of the AONB Partnership

### Roles of the Partnership in which the AONB Team has an important supporting role:

- 2.1. The Partnership will lead the **review of the statutory Management Plan** for the AONB every five years. This Plan will be formally approved by each individual local authority, and will as required in the CRoW Act 2000, *'formulate their policy for the management of the area and for the carrying out of their functions in relation to it'*.

- 2.2. The Partnership will co-ordinate and facilitate the **implementation of the Management Plan**, and will **monitor progress** in achieving its objectives, policies and actions. Actions in support of the Management Plan are taken by a wide range of parties, but organisations belonging to the AONB Partnership have an especially important role.
- 2.3. The Partnership will seek to **champion the interests of and vision for the Shropshire Hills AONB**, and will promote a coherent and strong identity for the area.
- 2.4. **Planning.** The Partnership will seek to add value to the role of local authorities as planning authorities for the AONB, especially by **contributing to the development of planning policy and guidance and by providing comments on significant development proposals and planning applications**. The AONB Partnership is not a statutory consultee in planning matters. Detailed roles and procedures for the AONB Partnership's involvement in planning are set out in a formal planning protocol with the local authorities.
- 2.5. The Partnership will seek to **secure resources** required for effective management of the AONB, including external funds to assist in delivering management activities and projects.
- 2.6. The Partnership will **lead the implementation of projects** in support of the AONB Management Plan.
- 2.7. The Partnership will **advise and support the activity of others** in support of the Management Plan, seeking to maximise co-ordination.
- 2.8. The Partnership will seek to ensure that public bodies fulfil their **duty under S85 of the CRoW Act** to have regard to the purpose of conserving and enhancing the natural beauty of the AONB in the exercise and performance of their functions.
- 2.9. The Partnership will establish and maintain **effective working relationships** with relevant bodies at national, regional and local levels where these can contribute to the achievement of the objectives of the Shropshire Hills AONB and can contribute to wider understanding and best practice in protected area management.
- 2.10. The Partnership will **monitor condition of the AONB and progress** with Management Plan implementation, and will publish an annual review of progress.
- 2.11. The Partnership will share best practice at a regional and national level, and contribute to the development of AONBs, especially by belonging to and playing an active part in the **West Midlands Protected Landscapes Forum** and the **National Association for AONBs**.
- 2.12. The Partnership will link and co-ordinate appropriately with **local strategic partnerships, Local Joint Committees** and other local structures.
- 2.13. The Partnership will **evaluate** its activities and seek to **make continuous improvements**. In particular it will seek to develop the knowledge and skills of its members.

(N.B. Priorities for activity of the AONB Team are established nationally by Natural England).

Roles specific to the AONB Partnership (*the Joint Advisory Committee itself, also the LEADER Local Action Group*):

- 2.14. The Partnership will **receive relevant reports** to consider matters of strategy or policy or relating to implementation of the Management Plan, and give advice and recommendations to the responsible local authorities, statutory bodies and others on these matters.
- 2.15. The Partnership will establish and operate **sub-groups and Working Groups** and delegated governance structures that it considers are necessary for the effective performance of its functions.
- 2.16. The Partnership will play a **scrutiny role in relation to the AONB**, seeking to ensure that the **policy and practice of partners and other organisations** are aligned with the AONB's purposes and priorities of the Management Plan; and making constructive recommendations and proposals for improvement.
- 2.17. The Partnership, as the LEADER Local Action Group, will **oversee the delivery of LEADER, agreeing and monitoring the strategic direction**, e.g. to agree selection criteria for LEADER projects, receive approvals reports, and monitor and review overall progress.
- 2.18. The Partnership will be **part of a network of LEADER Local Action Groups** to share best practice and help contribute to the delivery of the LEADER approach within the Rural Development Programme for England.
- 2.19. The Partnership will seek to **build the capacity** of those involved in LEADER so that as many sectors of the community as possible have the ability to participate in the delivery of the LEADER Strategy.
- 2.20. The Partnership will undertake a **biennial review of its membership**, and will periodically review its governance to ensure that it remains fit for purpose.
- 2.21. All members of the Partnership will be requested to sign a '**Membership Accord**' setting out the basis on which they will be expected to contribute to the work of the Partnership (see Appendix 4).

### 3. Membership of the Partnership

- 3.1. Membership of the Partnership will be as follows:
  - Four elected Members appointed by Shropshire Council (representatives should be relevant portfolio holders or local ward members);
  - One elected member from Telford and Wrekin Council (the representative should be a relevant portfolio holder or local ward member);
  - Three elected members of parish or town councils within or partly within the AONB (nominated by the Shropshire Association of Local Councils);
  - A maximum of seven representatives of other statutory bodies;
  - A maximum of twenty representatives appointed by non-statutory or voluntary organisations;

- A maximum of seven individual members.
  - The LEADER Approvals Panel Chair will be co-opted as a member of the Partnership, if not already one through the categories above.
- 3.2. The membership of a LEADER Action Group must be a local public-private partnership with at least 50% membership from the non-Public Sector (i.e. private plus voluntary/community sectors).
- 3.3. Member Panel. An application and review process will be operated for the non-local authority seats, and the decisions will be made by a Panel of the local authority members. These are the only *de facto* members of the Joint Advisory Committee, the others being co-opted according to established procedures.
- 3.4. The criteria for acceptance or rejection of applications for membership are set out in Appendix 1.
- 3.5. The Rules of Procedure of the Partnership are set out in Appendix 2.

#### 4. Management Board

The general remit of the Management Board will be:

- 4.1. **On behalf of the Partnership to oversee the work of the AONB Team and the finances of the AONB Partnership, and to make representations and recommendations and give advice on behalf of the Partnership where appropriate.**

In particular the Management Board will:

- 4.2. **Monitor progress** with the annual work programme for the AONB Team staff, and with key performance indicators.
- 4.3. **Provide guidance** to the AONB Partnership Manager and make recommendations to improve the effectiveness and performance of the AONB Team.
- 4.4. **Scrutinise budgets and management accounts** of the AONB Partnership, including the LEADER programme, and advise and recommend to the host authority (Shropshire Council) and funding partners on these matters.
- 4.5. **Approve or endorse significant decisions** on the deployment of the Partnership's staff and financial resources.
- 4.6. Comment on and develop initial **drafts of reports and policy statements.**
- 4.7. **Take decisions or agree positions** on behalf of the AONB Partnership as delegated.
- 4.8. **Foster understanding** of and support for the AONB Partnership and its activities among key organisations and the wider community.

- 4.9. The Management Board may participate in recruitment and appointment of staff of the AONB Team on behalf of the Partnership to the extent that this is consistent with Shropshire Council's policies.
- 4.10. Membership of the Management Board will be:
- The Chair and two Vice-Chairs of the Partnership (one Vice chair will be a Shropshire Council member - see Rules of Procedure para 2.1 at Appendix 2);
  - The elected member representing Telford & Wrekin Council (if not one of the Vice Chairs);
  - A representative of Natural England;
  - Six additional Partnership members elected annually by the Partnership. Two seats each will be allocated to the following three categories: Community, Land Management, Non-statutory Conservation & Amenity.
- 4.11. The Management Board may co-opt members to these seats if they are not filled by an election process.

## **Appendix 1. Criteria for Membership of the AONB Partnership**

### **1. Local Authorities**

Four elected members from Shropshire Council and one elected member from Telford and Wrekin Council.

### **2. Parish / town councils**

A maximum of three parish / town council councillors nominated by the Shropshire Association of Local Councils may be accepted as members if:

- There is a clear overlap of objects and interest in their statutory remit;
- **and** they represent a parish / town council within or partly in the AONB;
- **and** their organisation has sufficient resources to support effective membership;

### **3. Statutory bodies**

A maximum of seven statutory bodies may be accepted as members if:

- There is a clear overlap of objects and interest in their statutory remit;
- **and** they have a significant material or operational interest within the AONB;
- **and** their organisation has sufficient local or regional resources to support effective membership;

### **4. Non-statutory and voluntary bodies**

A maximum of twenty non-statutory and voluntary bodies may be accepted as members if:

- There is a clear overlap of objects and interest in their remit;
- **and** they have a significant material or operational interest within the AONB;
- **and** their organisation has sufficient local or regional resources to support effective membership;

### **5. Individual members**

A maximum of seven individual members may be accepted as members if:

- They can demonstrate a track record of commitment in an area of interest relevant to the remit of the Partnership;
- **and** they are resident in the AONB or a nearby town or countryside;

Individual members will be recruited through a fair and open selection process judged against the criteria set out above.

Members of statutory and non-statutory bodies to the Partnership will appoint a named representative to attend as their member of the Partnership, and may identify a named 'deputy' who will also receive papers and may attend meetings in place of the representative without prior arrangement. A representative other than the named member or deputy may attend a meeting in their place by agreement with the Chair.

## **Appendix 2 Rules of Procedure of the Partnership.**

All parties recognise that the Partnership is likely to be most effective if its recommendations can be reached by consensus rather than by confrontation, but if it is necessary to regulate any debate then the Chairman shall have the power to order that the Rules of Procedure for Advisory Committees under the Constitution of Shropshire Council shall apply.

### **1. Meetings**

1.1. The Partnership will normally meet three times per year. A site-based meeting or tour will normally be held annually. The Chair of the Partnership may call additional meetings or cancel pre-arranged meetings if it is felt that there is either urgent business which needs to be discussed or there is insufficient business to justify a meeting being held.

1.2. The Management Board will normally meet three times per year, with additional meetings being called (or cancelled) as necessary by the Chair.

1.3. Other sub-groups or Working Groups established by the Partnership will meet as determined by those groups.

### **2. Chair and Vice Chairs**

2.1. The Partnership will elect its own Chair on an annual basis. The Chair will be a non-local authority member. Both Vice Chair posts will be elected annually by the Partnership. One Vice Chair post will be an elected member of Shropshire Council and the other Vice Chair post will be open to any Partnership member. Nominations will be invited in advance of the meeting at which the elections take place.

2.2. The Chair of the Partnership will also be the Chair of the Management Board.

2.3 In the event of neither the Chair or Vice Chair being present at a meeting of the Partnership, a chair for the meeting will be elected by the Partnership members present.

2.4 The expectations of Chair and Vice Chair roles are set out in Role Descriptions and Person Specifications.

### **3. Local authority officers**

3.1 A local authority member may be accompanied to a Partnership meeting by one officer, but an officer may still attend if the member is absent.

3.2 If a member wishes to be accompanied to a Partnership meeting by more than one officer, or if more than one officer wishes to attend such a meeting when the member is absent, this should be with the prior agreement of the Chair.

3.3 Local authority officers attending Partnership meetings do not have the right to vote on issues being decided by the Partnership, except when the member representative of the local authority is not in attendance and he/she has delegated authority to the officer to vote on his/her behalf. In such cases, one local authority officer, with the prior agreement of the Chair, may vote on behalf of the member.

Appendix 3 Map of the Shropshire Hills AONB and LEADER area



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## **Appendix 4 Shropshire Hills AONB Partnership Membership Accord**

### **The AONB Partnership, through the AONB Team, undertakes to:**

- keep partners informed of the work of the Partnership, and of how money is spent.
- seek to foster relationships and common understanding with partners through personal contact as well as through written communication and organised meetings.
- ensure that there is a need and clear purpose for meetings, and ensure that good organisation prevents people being inconvenienced.
- prepare for meetings with agendas and supporting information to make the best use of everyone's time, and circulate these at least a week in advance for formal meetings.
- promptly circulate appropriate and accurate minutes or notes of meetings.
- outline as clearly as possible what we hope to achieve through particular areas of work, and seek to meet the realistic expectations which others have of us.
- acknowledge the support that people give, either through their professional or personal time, or through their knowledge, skills and efforts.
- provide appropriate support, recognition and training to volunteers who work for us or on our behalf.
- make grant claims to funders according to the timescales and conditions they require.
- provide training to Partnership members appropriate to their needs and role.

### **The Partnership in addition undertakes to meet the following customer care quality standards:**

- Staff will be courteous and helpful. Where we are unable to assist anyone making enquiries or to offer a grant, we will explain why and seek to suggest alternative sources of assistance.
- We will take account of the abilities of people we deal with, and adapt our services as reasonably practicable to allow for this.
- We will respond to telephone, letter, email or fax enquiries within ten days.
- We will assess and pay grants as quickly as possible. Any forms will be clear and as simple as possible. Grant conditions will be as simple as required.
- We will pay invoices promptly and give priority to following up enquiries from creditors.

### **Members of the Partnership undertake to:**

- promote the conservation and enhancement of the natural beauty of the AONB and champion the vision set out in the AONB Management Plan and LEADER Strategy;
- contribute knowledge, expertise and experience to the work of the Partnership;
- support and play a full and active part in the work of the Partnership in fulfilling its roles and responsibilities as set out in the Terms of Reference;
- assist the Partnership in achieving an independent and apolitical profile in the performance of its functions;
- attend Partnership meetings whenever possible and, if no longer able to attend meetings on a regular basis, to step down from the Partnership or to seek another representative from their organisation.
- read and consider Partnership papers in advance of meetings;
- recognise the validity of other members' views and accept joint responsibility for the decisions of the Partnership once made;

### **Organisations belonging to the Partnership undertake in addition, to:**

- keep the Partnership informed of their work relevant to the AONB.
- be prepared to adjust their activities and work with others to improve co-ordination of activity in the AONB.
- report back to their organisation on the work of the Partnership, and bring to the Partnership or AONB Team appropriate and relevant updates and information.