

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY, 18 MARCH 2014**

REPORT BY: **DIRECTOR OF ENVIRONMENT**

SUBJECT: **SETTING UP OF A JOINT COMMITTEE FOR THE**
 CLWYDIAN AREA OF OUTSTANDING NATURAL
 BEAUTY

1.00 PURPOSE OF REPORT

1.01 To seek Cabinet approval for the formation of a Joint Committee for the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

2.00 BACKGROUND

2.01 In 2011 the Environment Minister Mr John Griffiths confirmed the Clwydian Range and Dee Valley AONB Designation Order. This Order gave new national recognition and landscape protection to a substantial part of the Counties of Denbighshire and Wrexham. The AONB geographically now stretches from Prestatyn in the North, to Corwen in the West and Chirk Castle in the East. It also includes the attractive towns of Llangollen and Corwen and encompasses 390 square kilometres of the three Counties of Wrexham, Flintshire and Denbighshire.

2.02 Denbighshire is the Lead Authority for the AONB and has been since Local Government Reorganisation in 1996. Denbighshire will continue to be the Lead Authority for the Joint Committee; as such it will provide the Secretary and Treasurer for the Joint Committee. In recognition of this, the existing AONB Committee (the Joint Advisory Committee (JAC)) decided to review its present membership and, to be inclusive, decided to have a balanced membership of all 3 Local Authorities (Denbighshire, Flintshire and Wrexham). Each of the Local Authorities was invited to send 3 Members to future meetings of the JAC. Recently Councillors Carolyn Thomas, Nigel Steel-Mortimer and Nancy Matthews have attended on behalf of Flintshire. Following agreement at the Group Leaders' meeting in June 2012, Councillor Colin Legg is the identified substitute.

2.03 The JAC also commenced a review of its Governance arrangements by holding a series of seminars and preparing presentation material. The JAC were of the view that they would like in future to have a more robust relationship with the 3 Local Authorities. Following

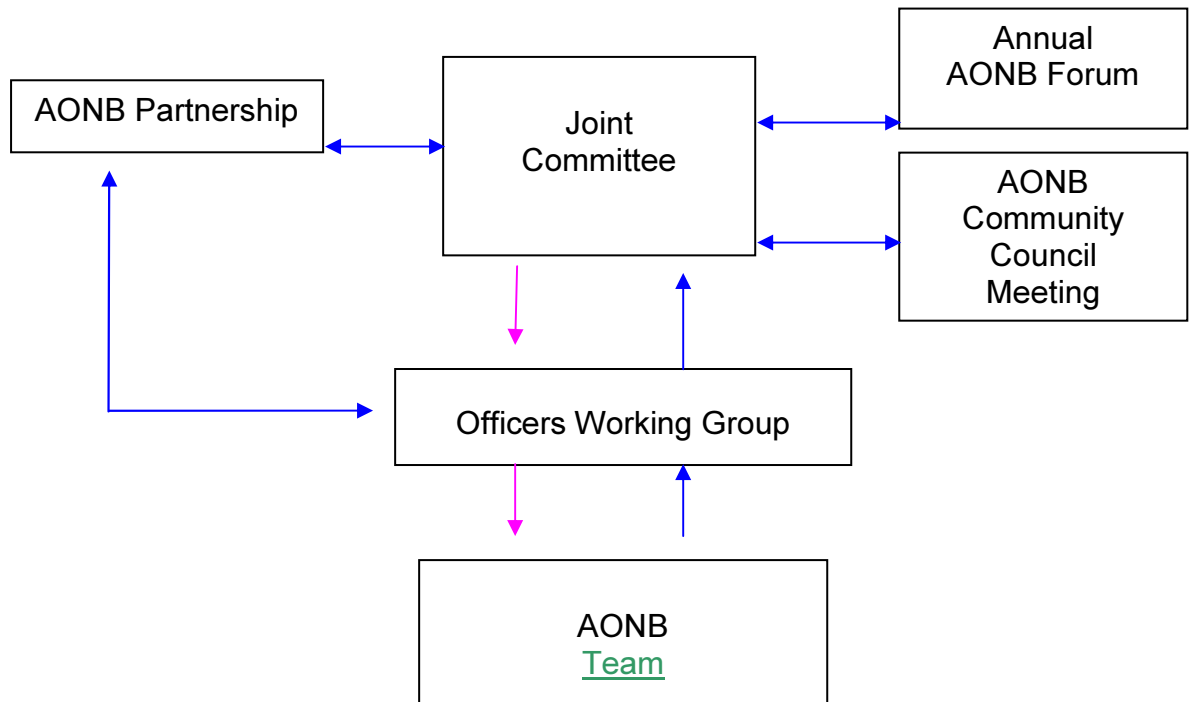
consideration of other models such as Conservation Boards and the establishment of a Limited Company, the Sub Committee proposed that the Joint Committee (JC) Model was the best mechanism to achieve this aim. The Joint Committee Model provides the best mechanism to establish a tight, strategic, senior group of Members and Officers who will focus on the future direction of the AONB's development. The Joint Committee will be supported, and advised by, the Officers' Working Group and AONB Partnership as well as establishing links to the AONB Forum and Community Councils.

- 2.04 The Chair of the JAC and the Chief AONB Officer have met with all three Local Authority Leaders, their Chief Executives and Lead Officers to seek their views on the formation of a Joint Committee. All are supportive.

3.00 CONSIDERATIONS

- 3.01 To create and set up a Joint Committee, approval is required from the relevant Cabinets/ Executives of the individual Local Authorities as Statutory Functions will through this model be Delegated to the Joint Committee. Power to Delegate and/or Discharge their functions are granted under S101 of the Local Government Act 1972.
- 3.02 To formalise the future Joint Committee arrangement a Legal Agreement will need to be approved and signed by all 3 Local Authorities. A draft of this document is appended to this report as Appendix 1.
- 3.03 The Joint Committee which will be made up of 6 Cabinet Members, two from each Local Authority and a Secretary and Treasurer. The Joint Committee will be fully supported by an AONB Partnership, an officer Working Group and an Annual Forum. The proposed structure is set out in the attached draft Legal Agreement at Appendix 3. Voting at the Joint Committee will be on the basis of one vote per Councillor in attendance. Any matters that the nominated Councillors do not have delegated powers to advise the Joint Committee of will have to be subject to referral back to an appropriate Cabinet meeting.

**STRUCTURE FOR THE CLWYDIAN RANGE
AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
MANAGEMENT AND GOVERNANCE**



Colour Key

- ↔ Flow of information
- Delegation

- 3.04 There is no doubt that the Clwydian Range and Dee Valley AONB now incorporates a significant central geographical land mass (nearly 39,000 acres with popular attractions such as the Offa's Dyke path, the Nercwys Forest, Loggerheads Woods and the Llandegla Mountain Bike Centre (300,000 visitors per annum) and attractions with potential, such as Minera Lead Mines.
- 3.05 The economies is within the three Authorities have undergone a radical change over the last 50 years. For Flintshire, whilst we have seen a recent increase in advanced manufacturing, there has been a reduction in heavy manufacturing and engineering and a total loss of coal mining, a mechanisation and rationalisation of holdings of farms and subsequent loss in employment in the rural areas.
- 3.06 All three authorities have acknowledged the important role that rural tourism can play in their local economies. Most of the significant tourism attractions in North East Wales lie now within the AONB and it is that setting in the landscape of the AONB that makes each one so attractive, including the Offa's Dyke path, Ty Mawr Country Park, the Llangollen Railway and Loggerheads are all key destinations that are and can work in harmony with the AONB.

3.07 The key benefits of the Joint Committee are:

- **Greater Visibility of the AONB** and the delegated power to champion the designation and achieve the objectives as set out in the legal Agreement at section 3 The AONB has its own voice and can agree actions with others.
- **Improved clarity** - having a more clearly defined role, responsibilities and accountability for the governance of the AONB.
- **Improved co-ordination of AONB Actions** - having the authority to act across the local authority boundaries and provide the opportunities to draw on other funding streams such as the Rural development plan, Heritage Lottery Fund and the Aggregates Levy Fund for Wales.
- **Improved efficiency and effectiveness** - being the single point of contact for all AONB governance issues. It is small enough to make decisions and large enough to generate debate.
- **Explicit strategy** - having a clear programme to deliver the AONB Vision.
- **Focused Leadership** – having the resources to implement the AONB programme, with Elected Members focussing on the purposed of AONB designation and the needs of citizens and service users. They will deliver a high quality, cost effective service.
- **Responsible stewardship** - being held to account. It is responsible with resources, especially other people's resources including those funding streams highlighted above.
- **Icons** - there are specific jewels which straddle more than one Authority. The Joint Committee will influence and contribute to the management of them which include: The Pontcysyllte Aqueduct and Llangollen Canal World Heritage Site, Moel Famau and the Jubilee Tower and Offa's Dyke National Trail.

3.08 The Joint Committee model is seen as 'good practice' for the governance of the AONB and the AONB Officers will be taking forward many aspects of the existing Interim Joint Advisory Committee to ensure its success.

3.09 The Joint Committee will establish the principle of the AONB Partnership at its first meeting, which will be made up of a number of outside bodies including representation from communities, landowners and business. The Local Authorities will also be seeking, by invitation, representation from individuals and sectors e.g. national

3.10 Farmers Union or the Country Landowners Association to represent the five key aspects of the

- Management Plan;
- Access and Recreation;
- the Natural Environment;
- the Built Environment and
- the Historical Environment.

3.11 The Partnership will also be looking for qualified individuals that will give the AONB a more comprehensive partnership.

3.12 To show a comprehensive approach to consultation the AONB will also hold an annual event based on a specific theme e.g. Sustainable Tourism or the Built Environment.

3.13 The setting up of a Joint Committee would contribute to the Council's Improvement Priorities in the following ways:-

- **Economy** - there is no doubt that rural tourism economy plays a key role to the success of rural Authorities; this is reflected in the Council's priority within the Improvement Plan in relation to Economy and Enterprise and, in particular, making local communities viable and vibrant as well as supporting local businesses. The AONB supports these aims through a framework of the Europarc Sustainable Tourism Charter that was granted to the AONB in 2009. This of course only related to the smaller Clwydian Range AONB. The business Group formed from the Charter now has over 120 members. The Charter is due to be renewed in 2014 taking in to account the larger geographic area the AONB now occupies. The funding for the strategy is in place.

Over the previous 5 years, members of the AONB Team (structure as set out in the Legal Agreement) have brought in over £3,000,000 in external grants. These have included the 'Centre of Excellence Cycling Project', 'Communities and Nature' development project, 'Walking with Offa' and 'Heather and Hillforts' HLF Project.

- **Health and Wellbeing** - Both visitors and residents are encouraged to participate in outdoor events from walking, cycling, education to specific health events. In the future one aspect of work will focus on an inclusion project on education for other areas in North Wales and the North West. This work will support the Council's Improvement Priority in relation to Living Well. This priority seeks to create more healthier and active lifestyles.

- **Community** - Welsh Government has in recent years, played a pivotal role in supporting the AONBs through their Sustainable Development Fund. This has meant at least £50,000 per annum going to local community projects e.g. rural apprenticeships; local food trails; small grants to village halls and small, rural business events; in 2013/14 that figure is £70,000.

3.14 The Officers of all three Local Authorities see stronger collaboration between them as the way forward for the AONB. In previous guises this has been informal. The Joint Committee formalises this and shows that the Local Authorities can work in a structured and collaborative way. Other outside bodies may well use the Joint Committee to fund projects in North East Wales that focus on the AONB.

4.00 RECOMMENDATIONS

4.01 That Cabinet approve :-

1. The Setting up of a Joint Committee.
2. The Joint Committee arrangements as set out in the Draft Legal Agreement as appended to this report excluding any financial commitments above current levels and amendments to the period of notice provided prior to withdrawal from the Joint Committee.
3. The nominations of Members to sit on the Joint Committee. At this stage, it is suggested that the Deputy Leader and Cabinet Member for Economy and Regeneration, are initially nominated to represent the Council.

5.00 FINANCIAL IMPLICATIONS

5.01 The Joint Committee will be hosted by each Authority in turn; the host Authority will provide the logistical support for that meeting with Denbighshire retaining the role of Secretariat. These costs will be mainly to Legal and Democratic Services.

5.02 Denbighshire will provide a separate Budget Line and Report to the Committee. As with all Joint Committee Budgets the budget will have to be independently audited by the Welsh Audit Office. The cost of the audit will be met from the Joint Committee's budget. The audited account will be shared with the Joint Committee and each Authority.

5.03 In terms of the budget the current budget and contributions of each of the authorities can be seen in the Legal Agreement. Over the next five years the budget will become, by negotiation, equitable between the three Authorities. Flintshire currently contributes £26,500 plus officer time towards the Joint Advisory Committee. The draft legal opinion supposes that this will increase over five years to £42,136

which would be considerably more than the current spend. The principle of making an increased contribution in accordance with the methodology shown in the draft agreement is not accepted at this stage, as the geographical area within Flintshire has remained the same. It is recommended that in a time of general reductions in spending, the Joint Committee be asked to keep the overall cost, and therefore the contribution made by Flintshire, to the minimum necessary for the effective working of the Committee.

6.00 ANTI POVERTY IMPACT

6.01 None.

7.00 ENVIRONMENTAL IMPACT

7.01 One of the aims of the AONB is protect and enhance the landscape of the area. The Joint Committee would assist in the delivery of that aim.

8.00 EQUALITIES IMPACT

8.01 An Equality Impact Assessment has been completed by Denbighshire County Council into the creation of the Joint Committee. This is attached at Appendix 2.

9.00 PERSONNEL IMPLICATIONS

9.01 Denbighshire is the Lead Authority for the AONB as it has been since Local Government Reorganisation in 1996. Denbighshire will continue to be the lead Authority for the Joint Committee; as such it will provide the following Officers for the Joint Committee: the Secretary and Treasurer,

10.00 CONSULTATION REQUIRED

10.01 The Clwydian Range Interim JAC.

10.02 Denbighshire, Flintshire and Wrexham County Borough County Councils, by way of Leaders, Lead Members, Chief Executives and Lead Officers, including Finance Officers.

11.00 CONSULTATION UNDERTAKEN

11.01 None.

12.00 APPENDICES

12.01 Appendix 1 - Draft Legal Agreement
Appendix 2 – Equality Impact Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

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