



## Report of the Cabinet Member for Corporate Service & Performance

Extraordinary Council – 12 January 2023

### **Amendments to the Gower AONB Partnership Terms of Reference**

<b>Purpose:</b>	The Gower AONB Partnership advises and supports the Council in its management of the Gower AONB, helping it to fulfil its' legal duties. This proposal sets out to amend the Terms of Reference, and procedures, which set out how the partnership operates, principally the appointment process for stakeholder members of the formal advisory group.
<b>Policy Framework:</b>	Maintaining and enhancing Swansea's Natural Resources and Biodiversity
<b>Consultation:</b>	Access to Services, Finance, Legal, Gower AONB Steering Group
<b>Recommendation(s):</b>	It is recommended that:  1) The proposed amendments to the Terms of Reference of the Gower AONB Partnership be adopted.
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#### 1. Introduction

- 1.1 The Countryside and Rights of Way (CRoW) Act 2000 places a duty upon the City & County of Swansea ('the Council') to "prepare and publish a management plan which formulates their policy for the management of the Area of Outstanding Natural Beauty and for the carrying out of their functions in relation to it".

- 1.2 The Act also places a statutory duty on any other public bodies (including local and statutory authorities, community councils and statutory regulators) to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.
- 1.3 Currently the AONB Partnership is an open membership body, representing any organisation, group or individual with an interest in the AONB. The partnership appoints 10 stakeholder members to a Steering Group, which acts as the formal “advisory body” to Swansea Council. These appointments are currently held every two years at a public meeting, with anyone attending the meeting able to vote for a list of previously nominated candidates. Six nominated Councillors and two Natural Resources Wales nominees also sit on the Steering Group.
- 1.4 The aim of the Partnership is that local communities (both as organisations and individuals) are able to be involved in the management of the AONB, and through the Steering Group are able to influence and contribute to its strategies and plans.
- 1.5 It is proposed to rename the Steering Group as the “Gower AONB Advisory Group”, to better align with the legislation.
- 1.6 The proposed amendments will also make the new Advisory Group responsible for appointing the stakeholder members by introducing a more formal appointment process, focused on the suitability and ability of applicants to contribute to the work of the Advisory Group.
- 1.7 The Gower AONB Partnership will be retained and will continue its public engagement role.

## **2. Appointment Process**

- 2.1 The AONB Team, who provide the secretariat for the Partnership and the Steering Group, have looked at the approaches used by other AONB’s and similar “advisory groups”, to develop a process which meets the requirements of Swansea Council and Welsh Government, while also engaging and involving local communities.
- 2.2 The proposed Terms of Reference are attached at Appendix A and track change amendments to the original Terms of Reference with explanatory notes are set out in Appendix B. The proposed changes will enable the Advisory Group to appoint stakeholder members to provide input from a wide range of interest groups, to enable it to fulfil its advisory function to the Council.
- 2.3 The proposed process will involve the Advisory Group advertising for individuals with the appropriate skills and background, who wish to contribute to the work of the group. A selection and appointment process will be used to appoint those who can contribute most to the work of the Advisory Group.

- 2.4 The process is modelled upon the process used by the Rural Development Plan to appoint its Local Action Group members. This involves advertising (using social media and other means) to encourage applications from individuals who are local, and can represent local interest groups, with a selection process based on their ability to contribute to the Advisory Group, through their local knowledge, experience and representation of that interest group. This process has worked well for the RDP group and has enabled the LAG to recruit a wider range of members.
- 2.5 It is believed that adopting this process will enable the Advisory Group to engage with a wider range of voices and backgrounds than has been possible using the previous public meeting election process.
- 2.6 The amendments will allow the Advisory Group to support and guide the management of Gower AONB (which is the legal duty), while retaining a less formal and flexible role for the Gower AONB Partnership (whose only formal role was the nomination of the previous Steering Group members). The public engagement role of the AONB Partnership will continue.

### **3. The AONB Advisory Group**

- 3.1 The Gower AONB Advisory Group will be an advisory group to the Council, convened by them, to facilitate the management of the Gower AONB, in fulfilment of their legal responsibilities and duties with regard to the Gower AONB. It will support the management of the AONB through partnership working with a wide range of bodies, organisations and individuals – in particular the development, implementation and review of the statutory AONB Management Plan.
- 3.2 The Advisory Group would sit for an electoral term, (coinciding with the term of appointment of Councillors), before they appoint new members.
- 3.3 The proposed Terms of Reference enable the Advisory Group to co-opt new members to meet specific needs, or to create sub-groups to address specific tasks.
- 3.4 The Terms of Reference also set out the details of sub-groups for the Advisory Group, and such issues as roles and responsibilities, standards of behaviour, and meeting procedures.

### **4. Gower AONB Partnership**

- 4.1 The proposed Terms of Reference do reduce the formal role of the AONB Partnership – however, we believe that the Partnership still retains an important role, in drawing together the many and varied partners, and that it will retain an important role in public engagement, and in promoting and facilitating the management of the AONB.

## **5. Implications of the amendments upon the Advisory Group**

- 5.1 The amendments are focused on the appointment process, and do not change any other aspects of the work of the AONB Partnership, the AONB Advisory Group, or its processes.
- 5.2 The current appointment process relies on a public meeting and a physical count of votes. This process has not always worked well – representation of the interest groups and communities of Gower has not always been balanced.
- 5.4 The amendments will allow the Advisory Group to continue support and guide the management of Gower AONB (which is the legal duty), while retaining a less formal and flexible role for the Gower AONB Partnership (whose only formal role was the nomination of the Steering Group members). The public engagement role of the AONB Partnership will continue.

## **6. Integrated Assessment Implications**

- 6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 6.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 6.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

- 6.4 An IIA Screening was completed, which indicated that a full IIA report was not required (Appendix C refers).
- 6.5 The proposed amendments have been discussed with the current AONB Steering Group. The proposed amendments will contribute positively to WFG considerations, and in particular the 5 Ways of Working.
- 6.6 The proposed amendments are believed to be very low risk and will not have any cumulative impact upon the groups listed in the IIA.
- 6.7 The amendments will open the appointment process, enabling the appointment of those who are best able to represent the interest groups and communities of Gower, and provide the best advice on the management of Gower AONB to the Council. It is probable that the proposals will enable a wider range of people to become involved in the Advisory Group, and for them to influence the future management of Gower.

## **7. Financial Implications**

- 7.1 There are no financial implications associated with this report.

## **8. Legal Implications**

- 8.1 There are no legal implications associated with this report.

**Background Papers:** None

### **Appendices:**

- Appendix A Gower AONB Advisory Group – Amended Terms of Reference
- Appendix B Gower AONB Advisory Group – Amended Terms of Reference (with track changes and explanatory notes)
- Appendix C IIA Screening Report for Amended Terms of Reference