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# East Devon AONB Partnership

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Terms of Reference

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Oct 2021

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## TERMS OF REFERENCE FOR EAST DEVON AONB PARTNERSHIP

### INTRODUCTION

These Terms of Reference detail the management structures and operation of the East Devon AONB Partnership. They form an Appendix to the Memorandum of Agreement (MOA) between DEFRA and the funding partners for the East Devon AONB Partnership and as such are an integral part of the MOA.

### PURPOSE OF DESIGNATION

The primary purpose of AONB designation is **to conserve and enhance natural beauty**.

*In pursuing the primary purpose:*

- *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.*

The 1949 Act defined ‘natural beauty’, but a wider definition is now understood and used: ‘Natural Beauty’ is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlements over the centuries.’

AONBs are of equal status to National Parks in terms of scenic beauty and landscape protection, and are designated under the same legislation, National Parks and Access to the Countryside Act 1949.

The Countryside and Rights of Way (CRoW) Act 2000 strengthened the earlier legislation regarding the designation and purpose of Areas of Outstanding Beauty. It also added some important new provisions:

- Section 85 requires relevant authorities (public bodies) ‘in exercising or performing any functions in relation to, or as so as to affect, land in these areas’ to ‘have regard’ to the purposes of conserving and enhancing the natural beauty of that AONB
- Section 89 requires AONB local authorities to prepare and review a management plan at intervals of not less than five years and ‘to act jointly’ in doing this.

The AONB Partnership is the body formed principally to fulfil this latter requirement. It includes a wide membership in order to engage a range of relevant interests in the management of the area.

## AONB MANAGEMENT STRUCTURE

### LEVELS OF OPERATION

There are effectively three levels of operation for the East Devon AONB Partnership.

- ❖ The **Partnership** – responsible for guiding, advising and supporting the AONB Staff Unit and Executive Group through the production and delivery of the AONB Partnership Plan
- ❖ The **Executive Group** – comprising the constituent Local Authorities, AONB Chairman and Vice Chairman and a nominated representative from Natural England. East Devon District Council is the ‘Host’ body with financial, line management and employment responsibility for the core staff unit and other non-core staff as appropriate. This group has overall/executive financial responsibility for the AONB Partnership and Staff Unit
- ❖ The **AONB Staff Unit/Team** – comprising a **core staff unit** and additional **non-core staff** responsible for delivery and administration of the AONB Partnership

The following sections explain the role of the Partnership, Executive Group and AONB Staff Unit/Team.

## OPERATIONAL STRUCTURE



## THE PURPOSE OF THE PARTNERSHIP

The East Devon AONB Partnership has the following key roles:

- To prepare, implement, monitor and review the East Devon AONB Partnership Plan on behalf of the constituent Local Authorities for the AONB.
- To provide a strategic lead in the protection, conservation and enhancement of the natural beauty, to promote enjoyment, understanding and well-being, and to further sustainable development of East Devon AONB.
- To influence the policies and strategies of partner and other organisations in respect of East Devon AONB and to commission relevant research and studies.
- To support the involvement of the community in the management of the AONB and foster community pride and capacity in relation to the East Devon AONB.
- Review and monitor delivery of the East Devon AONB Partnership Plan.
- To promote the distinctive qualities and national status of the AONB designation.
- To help identify and secure the resources required for AONB management.
- To provide an accountable structure for the investment of government resources in the AONB.

In delivering these key roles, the Partnership will:

- Provide guidance and advice to the AONB Executive Group concerning the management, governance, membership, direction and operation of the AONB Partnership and Staff Unit

and the use of resources, recognising that the Executive Group carries responsibility for those areas

- Advise on the consultative and supporting processes for the AONB
- Engage in or establish any geographic or topic based group necessary for the development and delivery of the AONB Partnership Plan

#### COMPOSITION AND OPERATION OF THE PARTNERSHIP

Organisation	Non-public sector (13)	Number of Reps	Period of office
	(Public sector (7))		
East Devon District Council		[2]	[Open]
Devon County Council		[2]	[Open]
AONB Ambassador representative (co-opted)		[1]	[Open]
Axe Vale and District Conservation Society		[1]	[Open]
Clinton Devon Estates		[1]	[Open]
Campaign for the Protection of Rural England		[1]	[Open]
Country Land and Business Association		[1]	[Open]
Devon Association of Local Councils		[1]	[Open]
Devon Wildlife Trust		[1]	[Open]
Federation of Small Businesses		[1]	[Open]
Historic England		[1]	[Open]
Environment Agency		[1]	[Open]
Forestry Commission		[1]	[Open]
Jurassic Coast Trust (World Heritage Site)		[1]	[Open]
National Farmers Union		[1]	[Open]
National Trust		[1]	[Open]
Natural England		[1]	[Open]
Otter Valley Association		[1]	[Open]
Sid Vale Association		[1]	[Open]
The Donkey Sanctuary		[1]	[Open]

Note: Defra not included. Ward and Parish Council representatives will be invited to any Partnership meeting that is held in their Ward/Parish

#### NEW MEMBERS

New members may be invited to join or be co-opted onto the Partnership as representatives of an organisation or as individuals in their own right, with the majority agreement of the Partnership. Co-option will normally be for an agreed period at the discretion of the Partnership.

Organisations or community representatives/ individuals may also apply to join the AONB Partnership. If applying, applicants should present their case to the AONB Partnership either in writing or by personal presentation, stating what they feel they can add/bring to the Partnership. The AONB Partnership will consider the application at its next available meeting and communicate its decision to the applicant. An induction programme will be offered for all new Partnership members by the AONB Manager.

The Partnership has the right to limit the number of members. No more than 50% of the members will be from the public sector. Currently public-sector representation is 35%.

#### GEOGRAPHICAL REMIT

The focus will be on the East Devon AONB while having regard for the wider hinterland and communities insofar as they interact with the AONB.

#### MEETINGS AND ATTENDANCE

The Partnership will meet at least 3 times a year. In exceptional circumstances and by agreement with the Chairman, additional meetings may be arranged. Two of the meetings will be a business meeting with the summer meeting being a site/field/subject based meeting/visit open to AONB Ambassadors and other parties. The location of meetings will be agreed by the AONB Partnership and will be convened at locations across the area.

Representatives will be expected to attend all meetings or to send a suitable replacement with prior notice. However, it is recognised that with shrinking public sector resources, many of the government agencies find it increasingly difficult to service all partnerships and increasingly look to regional/joint fora. For this reason these parties (Natural England, Historic England, Forestry Commission and Environment Agency) will remain as Partnership members and receive all papers but will only engage when subject matters suggest it is prudent to do so.

#### ANNUAL MEETING

A wider meeting of organisations, community groups, and the public will be held [once a year] where funding permits. The date and practical arrangements for holding the Annual Meeting will be agreed by the Partnership with all administration arrangements thereafter being the responsibility of the AONB Staff Unit.

The Annual Meeting will provide the opportunity for a wider exchange of information and views about the AONB and its management, and progress with the implementation of the AONB Partnership Plan. The Annual Meeting will also be an opportunity for forging closer links between the Partnership and other local partnerships and identifying actions and priorities for AONB management.

#### FINANCIAL AND EXECUTIVE POWERS

The Partnership does not have financial decision-making powers over the Executive Group in matters pertaining to the core staffing/budget arrangements; the Executive Group will decide matters affecting core staffing/budget finance for Partnership to endorse. However, whilst it cannot overturn Executive Group decisions on staffing finance, Partnership has the right to challenge and question Executive Group decisions and request reconsideration where necessary. In matters relating to AONB projects and programmes, Partnership does have the authority to approve recommendations from the Executive Group for funding programmes and project delivery, provided it accords with the host authority financial regulations and procedures.

#### QUORUM AND VOTING

The Partnership will be considered quorate when six voting members are present. Voting will be by majority decision with the Chair carrying casting vote if required. Only nominated representatives of Partnership organisations or their identified replacement may vote at the Partnership meetings. Local Authority Officers may, by agreed delegation, vote on behalf of elected local authority members but can only carry one vote. Partners unable to attend a meeting may cast a vote electronically in advance, or if required, following a meeting where further information is provided for a decision to be made, by a process agreed by Partnership and in confidence if required.

#### WORKING GROUPS/TECHNICAL GROUPS AND PANELS

There will be a Communities Project Fund (CPF) Panel to advise officers on the disbursement of grants from the SDF and on the Annual Acland Award. This Panel will act on behalf of the AONB Partnership in their approval of grant applications and Acland Award. Membership of the SDF Panel will be approved by Partnership and reviewed following any changes in Partnership composition or roles. Separate Terms of Reference are in place for the SDF panel and will be updated and agreed by this group accordingly.

The Partnership will have the power to set up ad-hoc, task, project or geographically based working groups as appropriate to its needs, normally to be chaired by a Partnership member. Additional members from outside the Partnership may be co-opted onto these groups and hold the position of Chair if appropriate, at the discretion of the Partnership Chairman. If they do not

already hold that position, the Chair of any group may be invited to become a voting member of the main Partnership for the period of the group's term.

These groups will not be standing sub-committees and will be dissolved when no longer required. The Chair of any group will report the group's findings to the main Partnership which will approve or act on any recommendations. These groups will not normally have financial responsibility unless explicitly recommended by the Executive Group and approved through the AONB Partnership.

#### ELECTIONS

A Chairman and Vice Chairman will be elected by the Partnership and will serve for two years (commencing 2003). They will be eligible for re-election but the Chairman will be restricted to serving one further continuous term (i.e a total of 4 yrs) unless otherwise agreed by the Partnership. The election will normally take place at the autumn (November) meeting in the appropriate year.

Should either the Chairman or Vice Chairman be required to stand down as a result of organisational change or elections, the following actions can be taken by Partnership agreement:

- a. If the Chairman is required to stand down from their representative organisation, the Vice Chairman will act as both Chairman and Vice Chairman until such time as Partnership elections can be held
- b. If the Vice Chairman is required to stand down from their representative organisation, the Chairman will act as Vice Chairman and Chairman until such time as Partnership elections can be held
- c. If the Chairman or Vice Chairman is required to stand down from their representative organisation as a result of organisational change or elections, they may be co-opted, as an individual, to remain in their role as Chairman or Vice Chairman until such time as Partnership elections can be held

If the Chairman or Vice Chairman are unable to remain in position for any other reason (eg ill health etc), actions a-c as above can be taken. If both are unable to remain in position at the same time, the AONB Manager will convene an extraordinary Partnership meeting at the earliest opportunity to agree an interim arrangement and subsequent elections.

Once elected, the Chairman will also be Chairman of the AONB Executive Group. The Vice Chairman will be Chairman the AONB Communities Project Fund (CPF) panel and Vice Chairman of the Executive Group. The Vice Chairman will deputise for the Chairman as required.

#### ADMINISTRATION

The AONB Staff Unit will provide the administration for the Partnership and the Agendas and reports will be co-ordinated by the AONB Manager who may delegate or sub-contract the preparation of reports as appropriate.

Agendas and papers will normally be sent out the week in advance of meetings. Minutes will be distributed to members within two weeks following a meeting. All papers will be made available on request.

#### REPORTING

All partners will be asked to present reports or verbally update on their work at each Partnership meeting.

#### PRESS AND PUBLICITY

Meetings will be open to press and public with opportunities for the items tabled by the public for part of the meeting with prior notice of 14 days or unless otherwise approved by the Chairman. Any press and publicity relating directly to the Partnership should be authorised by the Chairman or in their absence, the Vice Chairman.

#### ETHOS AND ATTRIBUTES OF THE PARTNERSHIP

It is expected that Members of the AONB Partnership will:

- bring to the Partnership a wealth of experience and expertise of their own and of their respective organisations.
- act as a conduit for advice and information to/from their respective organisations.
- where appropriate, arrange for the provision of relevant data sets and research material held by their organisations, in digitised format where possible, to assist with the purpose of monitoring the state of the AONB.
- reflect the views and aspirations of their respective organisation/group on the Partnership.
- seek to have an independent and non-political profile and be actively engaged with local communities and with the implementation of the AONB Partnership Plan

By agreeing to represent their respective organisation on the AONB Partnership or as a co-opted individual, all voting members sign up to the following endorsement and commitment:

*'We endorse the above Terms of Reference for the [East Devon] AONB Partnership and hereby agree to represent, to the best of our ability, the interests of the [East Devon] AONB. We understand our role is to act as an ambassador for the AONB. We will further its aims through the delivery of the AONB Partnership Plan to conserve and enhance the natural beauty of the [East Devon] AONB landscape and to support and sustain its communities and businesses in furtherance of this purpose.'*

## THE PURPOSE OF THE EXECUTIVE GROUP

The East Devon AONB Executive Group has the following key roles:

- To reflect the views of the Partnership in the management of the AONB staff Unit
- To resolve potentially conflicting demands placed upon the AONB Staff Unit by its core funding organisation and advisory bodies
- To administer the Memorandum of Agreement (MOA) between the core funding partners and DEFRA
- To oversee the Business Plan of the AONB Staff Unit by:
  - Ensuring that staff are supported and resourced sufficiently to meet the requirements of the funding partners
  - Agreeing the core funding, staffing and other resource issues
  - Recommending the annual work plan for the AONB Staff Unit
  - Acting as champions for the East Devon AONB within the core funding organisations
  - Making recommendations to the hosting authority for policy and budget changes
  - Ensuring that the Partnership is aware of and debates issues and developments within the core funding bodies as regards the AONB Staff Unit and Partnership

## COMPOSITION AND OPERATION OF THE EXECUTIVE GROUP

### COMPOSITION

The Executive Group will comprise the following members /voting rights

Organisation	Status (officer/member)	Voting rights	Period Of Office
East Devon District Council	[1] Officer	[Yes]	Open
Devon County Council	[1] Officer	[Yes]	Open
East Devon AONB Partnership Chairman	[1] Chairman	[Yes]	2 yrs
East Devon AONB Partnership Vice Chairman	[1] Vice-Chairman	[Yes]	2 yrs
Natural England	[1] Officer	[No]	Open
East Devon AONB Manager	[1] Officer	[No]	Open
East Devon AONB Project Officer	[1] Officer	[No]	Open
East Devon District Council Finance Officer	[1] Officer	[No]	Open

The core funding partners will be represented on the Executive Group by an officer.

With the exception of DEFRA, each core funding partner will nominate a lead officer to support the work of the Partnership and serve as a link from the Partnership to Members and Officers of the Core Funding Authority or Agency. The host authority lead officer will be a senior officer and will be the line manager of the AONB Manager. In addition the host will nominate an officer from the department responsible for AONB finances to be available if required.

Natural England (NE) will be represented on the AONB Executive and Partnership and will attend meetings accordingly. The representative for NE will not be eligible to vote on the Executive but will be eligible to vote on the Partnership. It is recognised the capacity of NE to attend all meetings may be limited and should NE no longer be able to fulfil this function, another Partnership member will may be invited to fulfil this role.

#### FREQUENCY OF MEETINGS

The Executive Group will meet three times a year. Other meetings will be at the discretion of the Chairman.

#### QUORUM

The Executive Group will be considered quorate when three voting members are present.

#### CHAIRMAN

The Chairman and Vice Chairman of the Executive Group will be the Chairman and Vice Chairman of the AONB Partnership and will normally serve for a period of two years.

#### ADMINISTRATION

The AONB Staff Unit will provide the administration for the the Executive Group. The agendas and reports will be co-ordinated by the AONB Manager who may delegate or sub-contract the preparation of reports as appropriate.

Agendas and papers will be sent out the week in advance of meetings. Minutes will be distributed to members within two weeks following a meeting. All papers will be made available on request.

Meetings of the Executive Group will not normally be open to the public because of its role in dealing with staffing matters.

## THE PURPOSE OF THE AONB STAFF UNIT

The East Devon AONB Staff Unit has the following core functions:

### PARTNERSHIP PLAN

- Developing, reviewing, preparing and publishing the AONB vision and the AONB Partnership Plan in accordance with the CRow Act 2000;
- Promoting the AONB vision and Partnership Plan to help distinguish the AONB from adjacent countryside;
- Advising upon, facilitating and co-ordinating implementation by others of the Partnership Plan;
- Accessing resources for management activities;
- Developing an involvement by the community in the management of the AONB;
- Providing a management role to co-ordinate AONB protection through the actions of the AONB Staff Unit, Executive Group, the AONB Partnership and other partners at a local and strategic level and
- Problem solving with the Staff Unit acting as co-ordinator and facilitators;

### ADVISORY/ADVOCACY

- Advising Local Authorities and other partners on their activities within AONBs, to encourage them to attain the highest possible standards in AONBs;
- Working with and contributing to the NAAONB activities, sharing advice and best practice nationally and regionally;
- Providing landscape related planning advice to local planning authorities in consultation with Natural England as appropriate in line with, and underpinned by approved protocols);
- Contributing to NAAONB and regional AONB resources and activity to strengthen status of the AONBs individually and collectively.

### MONITORING

- Monitor and report on progress against the AONB Partnership Plan and Annual Business Plans to the Partnership.
- Provide monitoring and reporting information to DEFRA in accordance with issued guidance.

## COMPOSITION AND OPERATION OF THE AONB STAFF UNIT

### STAFF UNIT STRUCTURE - CORE STAFF

<b>Position /Job Title</b>	<b>FT/PT</b>
AONB Manager	FT
Project Officer/FiPL Advisor	FT
Communication Officer	PT (0.5fte)

### NON –CORE STAFF

<b>Position /Job Title</b>	<b>FT/PT</b>
Wildlife Officer (2021-2024)	PT (0.5fte)
Administration Officer (FiPL) (2021-2024)	PT (0.4fte)

### OPERATION

The AONB Staff Unit will implement the Annual Business Plan under the guidance of the AONB Manager and in accordance with the advice and support of the Executive Group and Partnership as detailed in these Terms of Reference.

Unless requested by the Partnership or recommended by the AONB Manager, these Terms of Reference will be reviewed every two years.

Amended October 2021  
 Chris Woodruff  
 AONB Manager