

TECHNICAL OFFICERS'
WORKING PARTY REPORT

WYE VALLEY AONB
JOINT ADVISORY COMMITTEE
7th November 2016

LOCAL AUTHORITY CHANGES AND PROPOSED ALTERNATIVE DELIVERY

Purpose

To outline the changes in three of the four constituent local authorities and the proposed relationship to the alternative delivery models developing in Monmouthshire County Council and the Forest of Dean District Council.

Recommendations

That the JAC:

- A. Acknowledges the move in Herefordshire Council of the 'AONB Officer' to the Built & Natural Environment Service and change of job title to 'AONB Manager'.
- B. Notes the proposed changes and alternative delivery models developing in Monmouthshire County Council and the Forest of Dean District Council.
- C. Endorses the Core Messages for AONBs and AONB partnerships and the 18 questions for services relating to the Wye Valley AONB Partnership.
- D. Supports repeating the 2011 survey of AONB Partnership members on their perceptions of the Wye Valley AONB, the Joint Advisory Committee (JAC) & the AONB Unit.

1. Key Issues

- The Wye Valley AONB Unit, on behalf of the AONB Partnership, provides services across the designated AONB in Herefordshire, Gloucestershire and Monmouthshire.
- AONB line management in Herefordshire Council has moved to the Built & Natural Environment Service, having previously been in the Parks and Countryside Service which has been disbanded and outsourced.
- As employer of the AONB lead officer, Herefordshire Council have retitled the post to AONB Manager, similar to many AONBs including the Malvern Hills AONB Manager.
- Both the Monmouthshire County Council and the Forest of Dean District Council are developing alternative delivery models for significant parts of their services (see Appendix 1 & 2 respectively).
- These alternative delivery models are likely to impact on the relationship of these local authorities and their services with the AONB Partnership.

- A number of other AONBs have encountered similar reviews and have developed a series of principles and questions that align with core messages of the National Association for AONBs, to evaluate the appropriateness of proposals.
- A repeat of the 2011 survey of the AONB Partnership would seem timely.

2. *Reasons*

- 2.1 The Wye Valley AONB Unit is the lead delivery agent for the Wye Valley Area of Outstanding Natural Beauty (AONB) Partnership dedicated to conserving & enhancing the nationally designated Wye Valley AONB, guided by the Wye Valley AONB Management Plan and staffed by employees of the representative local authorities; Forest of Dean District Council, Herefordshire Council and Monmouthshire County Council. The AONB Partnership is led by the Wye Valley AONB Joint Advisory Committee with the key funding partners, being DEFRA, Natural Resources Wales, Forest of Dean District Council, Gloucestershire County Council, Herefordshire Council and Monmouthshire County Council, making up the AONB Steering Group. The Host Authority responsible for the AONB Unit's finances is Herefordshire Council. The AONB Steering Group annually review and agree the budgets for the AONB Unit. The constituent local authorities are committed to the purpose and functions of the AONB and supporting the locally accountable and locally representative JAC working to maintain a sustainable, stable, resilient AONB staffed service, delivering conservation and enhancement in and around the Wye Valley AONB primarily through facilitation, collaboration and delivery of the AONB Management Plan.
- 2.2 The AONB Partnership is operating in a period of wholesale public sector reform and enhanced devolution. The constituent local authorities are undergoing significant change internally whilst supporting a transition in public service delivery across their areas. There are likely to be further reductions in public spending both nationally and locally. To ensure a future for the AONB Partnership there must be a focus on building critical skills, capabilities and broadening the funding base.
- 2.3 Herefordshire Council, employing the AONB lead officer, have disbanded and outsourced the Parks and Countryside Service and moved AONB line management to the Built & Natural Environment Service. In the interests of consistency Herefordshire Council have also retitled the post of AONB Officer to AONB Manager, similar to many other AONBs including the Malvern Hills AONB Manager.
- 2.4 Monmouthshire County Council are addressing constrained resources and considering new ways of working to maintain locally available services by reviewing a variety of Services and Delivery Options (see Appendix 1 below). Their favoured option, agreed by Cabinet on the 5th October, is to move to the next stage of developing a new Alternative Delivery Model (ADM) for the Tourism, Leisure and Culture (TLC) and Youth Services. A Full Business Case will now be prepared to agree the scope of the ADM and which services will be transferred at inception and those Services which will be considered for future phases.
- 2.5 The Forest of Dean District Council are also developing alternative delivery models for significant parts of their services. On 20th October their Full Council agreed to form a

local authority owned Company with 2020 Partner Councils; Cotswold District Council, Cheltenham Borough Council and West Oxfordshire District Council (see Appendix 2 below). Under the proposed model, each Partner Council would specify the particular outcomes in terms of service delivery that it wishes to be provided by the company/s, in line with each Council's budget decisions.

- 2.6 The National Association for AONBs (NAAONB) established the following core messages with regards the AONB Family. These were presented to the JAC originally in July 2014. These have carried forwards and included in the NAAONB Strategic Plan, Communication Plan and Business Plan 2015 - 2019:

AONBs - Core Messages

- People are passionate about Areas of Outstanding Natural Beauty and care deeply about their future.
- Areas of Outstanding Natural Beauty are some of the most beautiful and cherished landscapes in Britain. They need to be cared for, now and in the future.
- Areas of Outstanding Natural Beauty are dynamic, living landscapes that underpin the economy and the health and wellbeing of society.
- Areas of Outstanding Natural Beauty are vibrant landscapes, which offer a wealth of opportunities for everyone to enjoy them and help look after them.
- Areas of Outstanding Natural Beauty are designated as special landscapes which provide a range of benefits for people and wildlife.

AONB partnerships - Core Messages

The 46 AONBs in England, Wales and Northern Ireland are nationally protected landscapes cared for by locally accountable partnerships that promote and support effective long term management to keep them special.

AONB partnerships, with dedicated teams

- make things happen, translating vision and national policy into local action,
- work with local communities and value their skills, knowledge and energy,
- provide value for money by securing additional funding, resources and project partners,
- develop innovative approaches to achieve beneficial results through collaboration,
- promote a sustainable rural economy that conserves and enhances the natural environment for the benefit of society.

3. Implications

- 3.1 Herefordshire Council employ the AONB lead officer, whose job title has been modified to AONB Manager. This does not change any terms and condition, roles or responsibilities. The post continues to be line managed by Herefordshire Council's Principal Countryside Officer but both have now moved to the Built & Natural Environment Service, from the disbanded Parks and Countryside Service. However both services were under the Environment and Place Division and remain in the Economy, Communities & Corporate Directorate. Consequently there are no significant changes for the AONB Unit.
- 3.2 Most of the Herefordshire Council sites managed by the former Parks and Countryside Service have now been transferred to other organisations, usually the local Town or Parish Council. Ross Town Council has taken over the Ross Riverside, Walford Parish Council has taken over the Kerne Bridge site and Woolhope Parish Council has Broadmoor Common. It is believed that the asset transfer of the Backney Bridge site may be made over to Bridstow Parish Council.
- 3.3 Monmouthshire County Council's Alternative Delivery Model (ADM) may involve several services that relate closely to the work of the AONB Unit. These include Countryside Services and Rights of Way, including managing access to the countryside, visitor sites, biodiversity issues, outdoor learning; Tourism Marketing and Tourism Development, Visitor Information provision and Events; and visitor attractions such as Tintern Old Station and Shire Hall, Monmouth. There may also be implications for the hosting of certain aspects of the AONB Unit and JAC operations. MCC's Green Infrastructure and Countryside Manager, Matthew Lewis, who is also chair of the AONB Technical Officers' Working Party, is also providing part time support to the development of the ADM. Longer term implications will depend ultimately on which services are encompassed by the ADM.
- 3.4 Forest of Dean District Council's 2020 Partnership may similarly affect various hosting arrangements for the AONB Unit and JAC.
- 3.5 Several AONBs nationally have had to deal with significant changes within their host and constituent local authorities. These include Cornwall, Shropshire Hills, South Devon and Tamar Valley AONB. Between them, and in consultation with the National Association for AONBs, they have drawn up a list of critical questions that if satisfactorily addressed would not indicate any significant detrimental impacts on the delivery of AONB purposes and functions:-

1.	Will local authorities cooperate in publishing the AONB Management Plan in accordance with statutory requirement and government guidance ?
2.	Will the AONB Management Plan be implemented jointly by partners in a coordinated and strategic way ?
3.	Can the condition of the AONB and the implementation of the Management Plan be monitored and reported upon ?

4.	Does AONB management have a distinctive public profile which reflects the area's statutory designation, the policies of the Management Plan, and the statutory "duty of regard" for the AONB ?
5.	Is AONB management independent of the profile of any one organisation or sector ?
6.	Will this provide an independent broad-based formal AONB Partnership of organisations that reflects the breadth of interests in the AONB, to support the delivery of the AONB Management Plan ?
7.	Will there be a dedicated AONB staff which have the conservation and enhancement of the AONB landscape as their primary role ?
8.	Can there be AONB management that coordinates and promotes AONB activity on behalf of the Partnership and acts as an "honest broker" ?
9.	Will this give AONB management that attracts a wide range of external funding sources that add value to core funding contributions ?
10.	Are AONB management services delivered in a way that is efficient, cost-effective and provide good leverage and value for money for the funding bodies ?
11.	Will Public bodies be supported in meeting their statutory duties to have regard for the purposes of the AONB ?
12.	Can timely and independent advice & guidance still be provided to the local planning authorities in respect of significant development proposals and policies in the AONB ?
13.	Will the broader communities of the AONB be actively involved in the understanding, care and management of the area ?
14.	Can AONB management services be provided in a coherent way across the full extent of the AONB ?
15.	Will a wide range of organisations be advised and influenced to ensure that their strategies, plans and programmes have due regard for the AONB ?
16.	Will AONB management add value to the work programmes of other organisations ?
17.	Will the AONB management actively collaborate with other AONBs at national, regional and local level ?
18.	Will AONB management be proactive, innovative, flexible and responsive to changing circumstances, and be open to new opportunities for partnership, funding streams, activities and delivery ?

3.6 In 2011, as part of the Wye Valley AONB's 40th Anniversary, the AONB Unit carried out a survey of people involved in the AONB Partnership. The 'Questionnaire on your perceptions of the Wye Valley Area of Outstanding Natural Beauty (AONB), the

Joint Advisory Committee (JAC) & the AONB Unit' provided some valuable insight into the effectiveness of the designation, the JAC and the AONB Unit. It would seem timely to repeat the survey and compare the results 5 years on.

Background

The Wye Valley AONB Partnership membership, terms of reference, structure and operation is set out in the 'Agreement as to the establishment and functions of the Wye Valley Area of Outstanding Natural Beauty Joint Advisory Committee' dated 10th November 2000 and the Variation Agreement dated 14th January 2009, between Monmouthshire County Council, Herefordshire Council, Gloucestershire County Council and the Forest of Dean District Council. The Wye Valley AONB Unit is a joint unit of the four constituent local authorities and subject to the Wye Valley AONB Memorandum of Understanding.

The Wye Valley AONB Unit delivers a wide range of actions to support and enable the implementation of the Wye Valley AONB Management Plan. These include:

- AONB Management Plan preparation and monitoring
- Input into Planning Applications and strategic planning
- Support the AONB Partnership; Joint Advisory Committee; Technical Officers' Working Party, Steering Group, Topic groups, seminars and annual study visit etc.
- Managing the Sustainable Development Fund (SDF) in the Wye Valley on behalf of Welsh Government
- Undergrounding power lines working with Western Power and National Grid to develop schemes
- Promoting the AONB including through website, the AONB newsletter, events etc.
- Developing landscape conservation and enhancement projects
 - Convene & service Deer Management Groups and Deer Monitoring Project
 - Habitat Conservation, including surveys, projects and volunteering
 - Landscape scale conservation
 - AONB Farming Awards
- Developing access, appreciation and well-being projects
 - MindSCAPE and InsideOUT initiatives reconnecting people with the landscape, through arts and creative environmental activities.
 - Wye Valley River Festival
 - Youth Rangers (14-16 year olds)
 - Wye Valley Walk - supporting Wye Valley Walk Partnership

Service limits are based around an annual action plan / budget agreed with the local authorities and the two grant providers Defra and Natural Resources Wales and the overall delivery capacity (currently 5 core posts but planned to diminish to 4 in 2018).

Appendix 1: Monmouthshire County Council - Alternative Delivery Model

In 2014, Monmouthshire County Council (MCC) Cabinet approved a comprehensive review of the Council's Cultural services to identify future delivery options with an overall objective of improving, sustaining and developing local services to enable them to become more self-reliant and resilient. MCC are moving a step closer to changing how it delivers some of its Tourism, Leisure, Culture and Youth Services.

Through this summer work has focused on the sourcing and gathering of information to assist the consultants, Anthony Collins, in producing a Strategic Outline Case report to present the options available to the local authority. MCC also held a service user survey getting over 1200 returns from the public. The information was analysed and the top 5 headlines of what matters to their service users were:-

- 28% - Staff: were approachable; knowledgeable; friendly and welcoming
- 24% - Accessibility: services were local; open regularly and open to all
- 13% - Cleanliness: sites and facilities were clean; had good hygiene
- 12% - Equipment: maintained; up to date; accessible for all and available
- 9% - Cost: prices are as low as possible; fair and worth the service receiving

The Strategic Outline Case (SOC) and the Engagement data was finalised in August and was presented to a joint-select committee on 19th September. The list of services in scope include: Leisure, Fitness and Outdoor Education; Youth services; Countryside services to include managing access to the countryside, visitor sites, biodiversity issues and outdoor learning and play; Tourism Marketing, Development, Visitor Information provision and Events; and Management and marketing of Monmouthshire's Visitor Attractions to include Caldicot Castle, Tintern Old Station and Shire Hall, Monmouth; and Museums (to transition at a later phase).

The objectives of Anthony Collins have been to consider the right mix of Services and the best new Delivery Option to help the Council address these service' projected £542k funding shortfall over the next four year period. Following the political processes, this Strategic Outline Case was then presented to Cabinet on the 5th October.

The 4 options presented within the SOC were:-

- Delivery Option One: Do nothing and manage decline of services
- Delivery Option Two: Transform the Services 'in house' – making changes to service delivery and stay within the local authority
- Delivery Option Three: Move the Services into an Alternative Delivery Model (ADM);
- Delivery Option Four: Outsource the services to a third party (private sector run services on behalf of the LA).

The result of the appraisal and subsequent recommendation from Anthony Collins is Delivery Option Three which is to establish a new Alternative Delivery Model (ADM) for the Tourism, Leisure and Culture (TLC) and Youth Services based on the financial savings and income generation potential that this offers as well as opportunity for the Council to still direct future Service delivery. The ADM presents a radically new way of working for the Council but one which has been tried and tested in other Local Authorities. Whilst there are risks, the ADM does present the best opportunity to sustain and potentially improve services during this period of financial uncertainty. A successful move of the TLC and Youth Services

to an ADM could also herald a way forward for other Council services with the advantage that structures and experience are already in place.

The recommendation accepted by Cabinet was to go to the next stage of drafting the Business Case on the above options. This will form the basis of the work for the next 3 months, which will require a huge amount of work from the teams, and one that must be right, fit for purpose and presents the most appropriate model for the services in scope, and most importantly is inclusive for all staff. The draft Business Case will then be presented to Members in early 2017 to seek their approval and make the decision on one of the options above to be taken forward.

Engagement

- In late November and December all staff will be brought together to look at a shared vision for the future service model. This process will help shape the values and culture of a future service model, whatever the shape will be.
- A 'Big Conversation' will capture the voices of the younger community members, the children and young people within each service area.
- The core team will be visiting all Community and Town councils in the coming weeks to share with them information to date and to seek their outlook on this piece of work.

The Full Business Case will address the following:

- To agree the scope of the ADM and which services will be transferred at inception and those Services which will be considered for future phases;
- To continue the staff, community and service user consultation process;
- To agree to the internal recruitment of a shadow core staffing structure to take the process forward;
- To produce a Full Business case

In addition, at the point when the Full Business plan is presented for approval then some further key decisions will be required in relation to:

- The level of control required by the Council;
- The level of funding that will be required from the Council and the identification and availability of alternative funding;
- The organisational support for combining these Services;
- Whether assets are to be transferred or licensed.

In agreeing to establish the proposed flexible group structure the Council will also need to consider what type of vehicles (companies) will best serve its aims, a full list of which can be found in Appendix Three of the Strategic Outline Case. The recommended options for the Council will be presented as part of the draft business plan to be submitted for approval early in 2017.

For further details see:

<http://democracy.monmouthshire.gov.uk/ieListDocuments.aspx?Cid=144&Mid=949&Ver=4>
and

<http://democracy.monmouthshire.gov.uk/documents/s6556/4.%2020160927%20Draft%20Cabinet%20report%20re%20Proposed%20New%20Delivery%20Options%20for%20TLC%20Services.pdf>

Appendix 2: Forest of Dean District Council - 2020 Partnership

In June 2014 the four GO Shared Services Partner Councils, Forest of Dean District Council, Cotswold District Council, Cheltenham Borough Council and West Oxfordshire District Council, approved an Outline Business Case for a “2020 Vision for Joint Working” and subsequently a “Report on Options for Future Delivery Models and Interim Management Arrangements” prepared by Activist Ltd.

Consequently, the “2020 Joint Working Business Case” was agreed and approved by the four Councils in October 2015 along with a number of joint strategies including a Commissioning Strategy. The 2020 Joint Committee was established in February 2016 with a number of shared services being established from April 2016.

On 20 October 2016 The Forest of Dean District Council, Full Council agreed to form a local authority owned Company with 2020 Partner Councils; Cotswold District Council, Cheltenham Borough Council and West Oxfordshire District Council.

Detailed legal advice concerning the establishment of the company model has been sought from Trowers & Hamlin’s. It is proposed to initially establish Teckal Companies Limited by Guarantee using agreed structure and governance principles. There would be a co-ordinating/commissioning company owned by CDC, FoDDC and WODC. A shared regulatory services company would also be created for these same shareholders with a view to trading the services being provided. A third shared-services company would be created to provide shared services to all four partner councils (Cheltenham Borough Council are limiting their involvement in shared services to only ICT and GO Shared Services).

The key criteria for the 2020 Partnership are to develop a company structure framework that delivers the flexibility to meet both current and future needs and can be implemented incrementally over time, whilst enabling trading opportunities to be fully exploited. Partner councils as ‘shareholders’ in the local authority-owned company/s will have the same voting rights, regardless of their size or financial stake in the company/s. Under the proposed model, each Partner Council remains entirely free to specify the particular outcomes (in terms of service delivery) that it wishes to be provided by the company/s (in line with each Council’s budget decisions). Any underspend (or income) arising from the companies’ delivery of services would be returned to the funding Partner Council. Meanwhile it is anticipated that other Local Authorities will be able to ‘buy-in’ to the structure on a piecemeal basis, if desired, to participate in only some services rather than to take a share in the overall model.

The partner Councils already have experience of both successfully establishing and operating Ubico Ltd. as a ‘Teckal’ company. The Teckal exemption (named after the EU case that established the principle) provides for an exemption to EU procurement rules in certain circumstances. The Councils as owners will have control over the Company through a governance structure of directors sitting on the Company Board, which will form the operational management and decision making body for the company. A contract or service level agreement will be in place between each Council and the Company, setting out the required service specification and standards. The Company and its directors are not able to alter the service and standards set by the Council.

Once the company structure has been finalised and agreed, work will be completed on the governance and management of the partnership. This will ensure that a strategic approach is

taken to the delivery of each Council's objectives with clear accountabilities and responsibilities.

There is great potential to improve the customer experience through the customer-focussed redesign of services, which is also an essential component of the efficiency savings. Consequently a programme of targeted service redesign will be developed and resourced as part of the next phase development of the partnership. Work will also be undertaken to consider how property assets can be managed more effectively across the partnership with a view to developing a Property and Assets Action Plan to drive future property benefits.

For further information see:

http://www.fdean.gov.uk/nqcontent.cfm?a_id=8630&tt=graphic

http://www.fdean.gov.uk/nqcontent.cfm?a_id=7081&tt=graphic&externalurl=meetings.fdean.gov.uk:80/ieListMeetings.aspx?CIId=286&Year=0

http://www.fdean.gov.uk/nqcontent.cfm?a_id=7081&tt=graphic&externalurl=meetings.fdean.gov.uk:80/ieListDocuments.aspx?CIId=120&MIId=1480&Ver=4: Agenda Item 9:-

<http://meetings.fdean.gov.uk/documents/s15682/SD.221%202020%20Company%20model%20-%20Council%20201016.pdf?>