



**Wye Valley AONB Partnership
Memorandum of Understanding
April 1st 2015 - March 31st 2018**

1. Local Authority Partners

1.1 As the local authority partners for the Wye Valley Area of Outstanding Natural Beauty (AONB) we; Forest of Dean District Council, Gloucestershire County Council, Herefordshire Council and Monmouthshire County Council, are committed to the purpose and functions of the AONB Partnership. The 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.

1.2 To help deliver our duties and obligations arising from Part IV of the Countryside and Rights of Way Act 2000, including

- a) the operation and management of an AONB Partnership, led by a Joint Advisory Committee and an AONB Staff Unit to act on behalf of the Partnership and
- b) the publishing, reviewing and monitoring of the AONB Management Plan, which we delegate to the AONB Partnership,

we hereby formally commit to the outline contributions as attached (Appendix 1-A) and agreed by the Joint Advisory Committee on 3rd November 2014 (Appendix 1-B).

1.3 These figures are intended to give medium term security, matching the commitment of Defra and the Welsh Government, through Natural Resources Wales (NRW), to an AONB funding programme. The funding from Defra and NRW is only available to the Partnership to support the purposes of the AONB and to assist delivery of the statutory Management Plan. The grant offer letters from Defra and NRW are *[will be]* attached (Appendix 2-A & 2-B respectively).

1.4 Contributions will be paid to Herefordshire Council, the local authority responsible for the Partnership's finances, by June 30th in each year. The other local authorities will continue to share Partnership hosting contributions and staff employment (see 2 below).

1.5 Each local authority will provide a recognised lead officer and contact on the AONB Steering Group that oversees the budget management of the AONB Staff Unit. Relevant officers will also participate in the Technical Officers Working Party (TOWP) that supports the Joint Advisory Committee (JAC) and meets three times per annum, one month before the JAC. Relevant officers may also attend the JAC in an advisory capacity.

1.6 Subject to paragraph 3 below, should any third party claims be made against any of the local authority partners arising from the activities of the AONB Partnership, then the local authority partners shall contribute to any settlement or award in relation to such claims in proportion to their area coverage of the AONB (as defined in Schedule 3).

1.7 This MOU and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

2. AONB Staff Unit

2.1 The Staff Unit will work for the whole AONB Partnership and have its own identity. Activities and Core Functions (as defined in Schedules 1 & 2) will be delivered on behalf of the AONB Partnership, rather than that of the Host Authority, Employing Authorities or individual Parties. The independence of the AONB Partnership from the Host Authority and Employing Authorities is particularly necessary when the Partnership is consulted by, or is required to make comments and provide advice on, schemes and activities of its constituent Local Authorities.

2.2 The Employing Authorities remain responsible for exercising the rights and duties of the employer. The Local Authority partners will liaise with each other regarding the contracts of employment of those they manage and to take advice from HR staff of the employing organisation where interpretation or formal action under the contract of employment is required.

3. AONB Staff Redundancy Scenario

3.1 It is envisaged that Defra, NRW and Local Authority partner contributions will be sufficient to maintain the AONB staff unit and core functions. However the AONB Unit is planning to reduce by one staff member in 2016/17. In the event of a redundancy situation the following will apply :

3.1.1 Any redundancy payments legally due to AONB Core Staff under Part XI of the Employment Rights Act 1996 or other relevant legislation on termination of

employment will be met by the existing Partnership Redundancy Reserve budget that is ring-fenced to cover a significant proportion of such costs. The Redundancy Reserve currently stands at £25,000. Any outstanding redundancy amount exceeding the ring fenced budget will be met by the employing authority.

3.1.2 The Redundancy Reserve will be built up to a level to cover 100% of the redundancy costs of the 4 person AONB core staff team by 2017/18. This figure will be reviewed annually and the budget amended accordingly.

4. Reduction or termination of contributions

4.1 Any intention to reduce funding, from the contributions indicated above, should be given to the AONB Partnership and host authority, as early as possible and no less than 2 months before the end of the financial year.

5. Shared Vision

5.1 We will work together with Defra and Natural Resources Wales and other partners to ensure that the natural beauty of AONBs is conserved, enhanced and promoted for the benefit of all; valuing the contribution of each AONB and the network as a whole to the protection of our finest landscapes; supporting local action and national collaboration; recognising and meeting the challenges for the future. AONBs are seen as functioning landscapes and exemplars of coherent and resilient ecological networks which can deliver wider benefits for society.

5.2 We believe that:

5.2.1 AONB management structures should be strongly supported by partners and relevant authorities.

5.2.2 the statutory requirement to produce Management Plans provides an important opportunity to strengthen partnerships and achieve better outcomes.

5.2.3 security of funding and flexibility of funding for AONBs will deliver better outcomes.

5.2.4 there should be a “can do” culture which is not risk-averse but where lessons from novel approaches are encouraged and learnt from, in both success and failure.

5.2.5 monitoring of environmental outcomes is essential and needs to be undertaken to develop a sound, spatially-relevant evidence base.

5.2.6 opportunities should be taken to maximise the synergies between the outcomes of the Management Plan with the plans of other Parties, and of the wider Protected Landscape network.

Signed on behalf of Forest of Dean District Council

Signed

Name Date.....

Position

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Signed on behalf of Gloucestershire County Council by:

Signed

Name Date.....

Position

~

Signed on behalf of Herefordshire Council by:

Signed

Name Date.....

Position

~

Signed on behalf of Monmouthshire County Council by:

Signed

Name Date.....

Position

SCHEDULE 1

AONB STAFF UNIT CORE FUNCTIONS

1. MANAGEMENT PLAN

- 1.1 Developing, reviewing, preparing and publishing the AONB vision and the Management Plan
- 1.2 Promoting the AONB vision and Management Plan to help distinguish the AONB from adjacent countryside
- 1.3 Advising upon, facilitating and co-ordinating implementation by others of the Management Plan
- 1.4 Accessing resources for management activities
- 1.5 Developing an involvement by the community in the management of the AONB
- 1.6 Providing a management role to co-ordinate AONB protection through the actions of the AONB unit, the AONB Partnership and other partners at a local and strategic level
- 1.7 Problem solving with the unit acting as co-ordinator and facilitators

2. ADVISORY / ADVOCACY

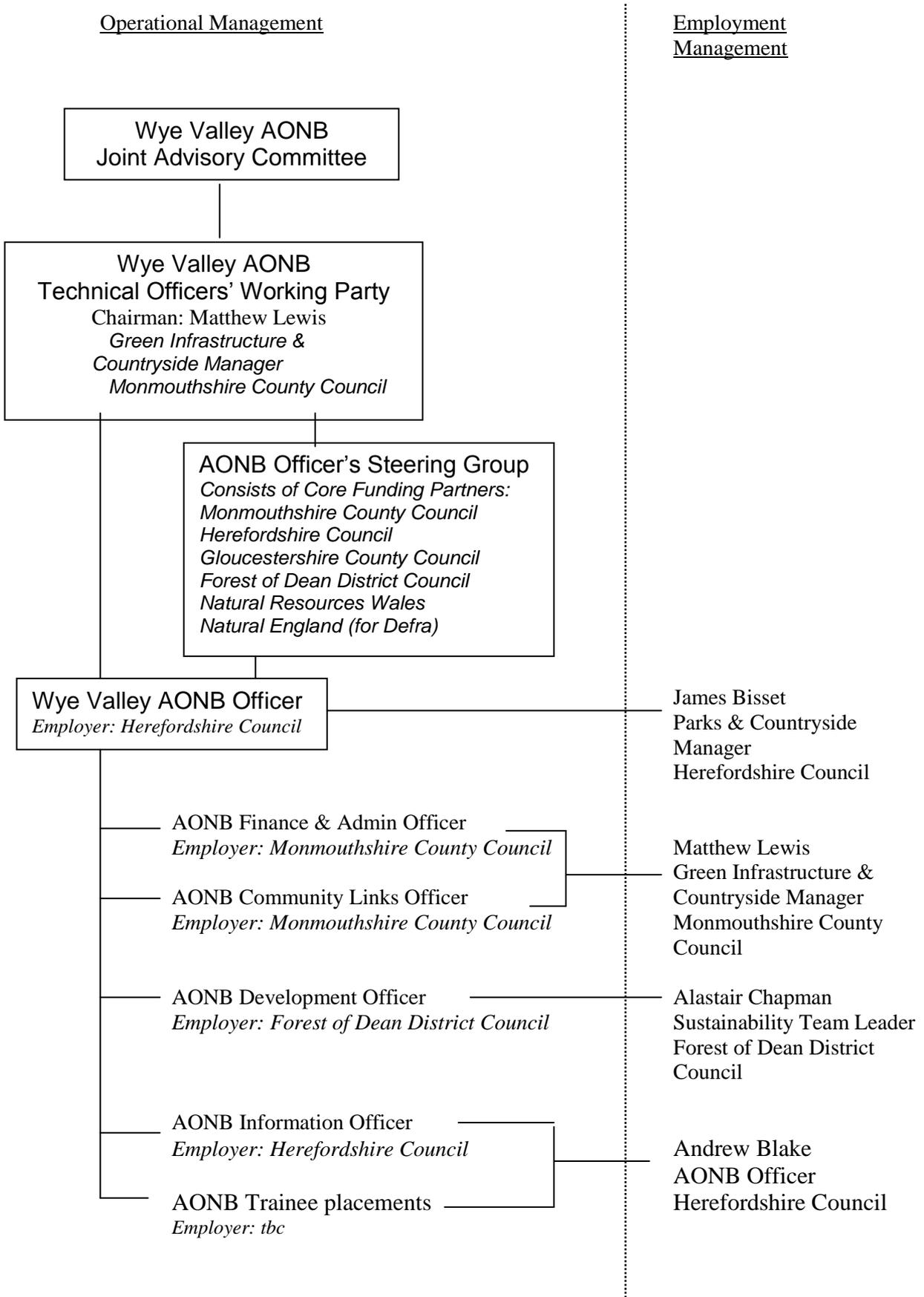
- 2.1 Advising Local Authorities and other partners on their activities within AONBs, to encourage them to attain the highest possible standards in AONBs
- 2.2 Working with and contributing to the NAAONB activities, sharing advice and best practice nationally and regionally.
- 2.3 Providing landscape related planning advice (to local planning authorities and in conjunction with Natural England as appropriate in line with, and underpinned by protocols)
- 2.4 Financial support for NAAONB
- 2.5 Contribution and support to activity between AONBs and protected landscapes to strengthen the status of the AONBs individually and collectively.

3. MONITORING

- 3.1 To monitor and report on progress against Management Plans and Annual Business Plans to the Partnership.
- 3.2 To provide monitoring and reporting information to Defra in accordance with any guidance issued by Defra

SCHEDULE 2

WYE VALLEY AONB ORGANISATIONAL CHART



SCHEDULE 3**PROPORTION OF WYE VALLEY AONB BY LOCAL AUTHORITY**

The financial contribution of the 4 Local Authorities to the Wye Valley AONB Partnership is based on the historical formula of the area of each Authority making up the AONB in the following proportions:-

Local Authority	Area in AONB Km ²	% of AONB	Proportion %
Forest of Dean District Council	60.495	18.5	9.25
Gloucestershire County Council			9.25
Herefordshire Council	148.785	45.5	45.5
Monmouthshire County Council	117.720	36	36
TOTAL	327	100	100

APPENDIX 1 - A

TECHNICAL OFFICERS'
WORKING PARTY REPORT

WYE VALLEY AONB
JOINT ADVISORY COMMITTEE
3rd November 2014

Agenda Item 5

LOCAL AUTHORITIES' CONTRIBUTIONS 2015/2016***Purpose***

To request contributions from the four constituent local authorities to the budget for the Wye Valley AONB Partnership for 2015/2016.

Recommendations

That the JAC request from the constituent local authorities the outlined financial contributions for the Wye Valley AONB.

Key Issues

- Annually the JAC recommends to the constituent local authorities the contribution required for the continued effective operation, management and governance of the Wye Valley AONB Partnership.
- The contributions from the local authorities form the foundation to the budget managed by the AONB Unit.
- Since 2011/12 an annual reduction of 5.4% has been implemented, in line with agreed reductions in Government funding for AONBs in England of 21.4% over the current Government Spending Review period to 2014/15.
- For 2015/16 Defra have announced they will hold AONB funding at the 2014/15 level.
- Gloucestershire County Council has made a 3 year flat rate funding commitment to the AONB and a 3 year funding application has been requested and submitted to Natural Resources Wales by the AONB Unit.
- Other funding partners are requested to make similar 3 year commitments where possible.
- The AONB budget is used to lever in grant aid and additional resources to deliver partnership projects.
- During 2015/16 the AONB Unit will be revising its structure and delivery of services in the AONB to efficiently maximise available resources.
- It is unknown at this stage what the implications will be for AONBs under the next Government and Spending Review period.

Reasons

The proposed base budget for the AONB unit for 2015/16 is £291,454 (down from £307,942 in 2014/15 and £317,538 in 2013/14) and includes the Sustainable Development Fund (SDF) in Wales. The local authority contributions receive up to 75% match-funding for core AONB initiatives from Defra and Natural Resources Wales. The AONB budget projections for 2016/17 and 2017/18 are £273,352 and £260,295 respectively.

In addition during 2014/15 the AONB Unit is managing partnership projects totalling £137,144, including MindSCAPES, Walking with Offa, the Wye Valley River Festival and the AONB Youth Rangers programme. These externally funded projects extend the work of the AONB Unit and allow project investment as well as some elements of cost recovery. The development and delivery of externally funded projects will continue into 2015/16 and beyond.

The National Association for AONBs has been working with Defra to ensure that the most effective use of resources is made by government, local authorities and AONB partnerships. At the National AONB Conference in Cumbria, attended by the JAC Chairman and AONB Officer, the Secretary of State for natural environment, Lord de Mauley, announced that the Government intends to freeze AONB funding from Defra in 2015/16. The implications of the next Government Spending Review for Protected Landscapes is yet to be announced.

Implications

The following contributions are sought from funding partners for 2015/2016. Indicative bids for grant aid contributions from Defra and Natural Resources Wales are being made based on the figures below.

Funding Partner	2014/15	2015/16	2016/17	2017/18
Herefordshire Council	£23,887	£23,860	£23,860	£23,860
Monmouthshire County Council	£18,564	£17,562	£16,613	£15,716
Forest of Dean District Council	£5,826	£5,826	£5,826	£5,826
Gloucestershire County Council	£3,600	£3,600	£3,600	£3,600
Total LA contributions	£51,877	£50,848	£49,899	£49,002
DEFRA (anticipated)	£122,001	£122,001	£119,683	£113,220
Natural Resources Wales (bid for)	£52,210	£52,210	£52,210	£52,210
SDF Wales (anticipated)	£70,000	£60,000	£50,000	£45,000
Government Grants Total	£244,211	£234,211	£221,893	£210,430
<i>Income from other sources</i>	£12,168	£7,658	£4,037	£5,614
Total AONB Core Budget	£308,256	£292,717	£275,829	£265,046

The Sustainable Development Fund (SDF) is expected to lever in an estimated £100,000 in to the AONB, although this will be predominantly on the Welsh side of the AONB. The AONB Unit will also continue to manage the following externally funded projects with a total annual budget of over £60,000. These are:-

- Youth Rangers programme [Your Heritage, Heritage Lottery Fund]

- Wye Valley River Festival [various sources]
 - insideOUT / MindSCAPES [Big Lottery]
 - Wye Valley Walk partnership [various sources]
 - Walking with Offa / Irresistible Offa (Phase 2) [LEADER / RDP Wales]
- Additionally Western Power will continue to invest in undergrounding schemes within the AONB during 2015/16 and beyond.

As part of the on-going accommodation of the budgetary constraints a range of efficiency savings are being assessed to reduce overhead costs. These include renegotiating service contracts to reduce overheads, allocating overheads to externally funded projects and the consideration of further income generation through raising course fees and selling publications.

The AONB Unit is reviewing the structure and delivery of services in the AONB alongside income streams. The AONB Development Officer post will become vacant at the beginning of 2015 and it is intended to recruit to fill that role with slightly realigned responsibilities. However based on current budget projections the AONB Unit will need to downsize during 2016/17 from 5 FTE posts to 4. It is hoped that this can be accommodated through voluntary redundancy or retirement. Also from 2015/16 one member of staff will reduce their working hours to 4 days per week. These moves will ensure that staff and resources are maximised and operational structures are fit for the future in the face of ongoing budgetary pressures. However the focus remains on consolidating the activity of the core AONB Unit to maximise the leverage and spend on the delivery of initiatives that fulfil the statutory purpose of the AONB designation and benefit the landscape and local communities in the Wye Valley.

Background

Local Authority partner contributions are based on land area in the AONB in an established historical formula. Over recent years for every £1 of Local Authority contributions the AONB Unit has levered in over £8.

Each Local Authority has a statutory Duty of Regard towards the purposes of AONBs under Section 85 of the Countryside and Rights of Way (CRoW) Act 2000. A considerable amount of the AONB Unit's core and project work (planning / promotion / advice / preparation & delivery of the Management Plan etc.) goes towards supporting each Local Authority in fulfilling its Duty of Regard. Through project delivery the AONB Unit also supports the Local Authorities' Statutory Duty for biodiversity under Section 40 of the NERC Act 2006.

APPENDIX 1 - B**Extract of:-**

**Minutes of the Wye Valley AONB Joint Advisory Committee
held at The Forest of Dean District Council Offices, Coleford on
Monday, 3rd November 2014 at 2.00 p.m.**

PRESENT: Councillor P. Cutter (Chairman)
(Herefordshire Council)

Elected Members (with voting powers)

<u>Monmouthshire County Council:</u>	Councillor E.J. Hacket Pain Councillor A.E. Webb
<u>Gloucestershire County Council:</u>	Councillor P. McMahon
<u>Herefordshire Council:</u>	Councillor P. Cutter
<u>Forest of Dean District Council:</u>	Councillor G.J. Davies Councillor A. Thomas

Co-opted Members (with voting powers)

<u>Voluntary Conservation Sector in Gloucestershire:</u>	Dr. G. Peterken
<u>Voluntary Conservation Sector in Monmouthshire:</u>	Mr. A. Thomas
<u>Voluntary Conservation Sector in Herefordshire:</u>	Ms. V. Morgan (For Mr. B. Nash)
<u>Country Land and Business Association:</u>	Mr. S.W.B. Dereham
<u>National Farmers Union:</u>	Mr. M. Price
<u>Herefordshire Association of Local Councils:</u>	Mr. D. Berry
<u>GAPTC:</u>	Mr. B. Evans

Co-opted Members (without voting powers)

<u>Wye Valley Society:</u>	Mr. C. Barron
<u>Local Tourism Representative:</u>	Mr. J. Theophilus

Technical Advice Officers:

<u>Wye Valley AONB Officer:</u>	Mr. A. Blake
<u>Monmouthshire County Council:</u>	Mr. M. Lewis
<u>Gloucestershire County Council:</u>	Mr. R. Niblett
<u>Monmouthshire County Council:</u>	Mr. R. Williams

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following:

- Councillor A. Preest, Gloucestershire County Council.

- Councillor B. Durkin, Herefordshire Council.
- Councillor J. Hardwick, Herefordshire Council.
- Councillor J. Hyde, Herefordshire Council.
- Mr. B. Nash, Voluntary Conservation Sector in Herefordshire.
- Ms. H. McDowell, Natural England.
- Mr. R. Jones, Natural Resources Wales.
- Kim Bedford, GAPTC.
- Ms. D. Griffiths, Natural England.

2. **DECLARATIONS OF INTEREST**

The following Councillors declared interests as Planning Committee Members of their respective Authorities in matters that may arise relating to development control issues:

P. Cutter
A.E. Webb
P.McMahon
G. Davies
A. Thomas
Mr. B. Evans

3. **CONFIRMATION OF MINUTES**

The minutes of the meeting dated 7th July 2014 were confirmed as a correct record and signed by the Chairman.

4. **PUBLIC QUESTION TIME**

No questions were raised by members of the public.

5. **LOCAL AUTHORITIES' CONTRIBUTIONS 2015/2016**

We considered a report regarding requests for contributions from the four constituent local authorities to the budget for the Wye Valley AONB Partnership for 2015/2016 and budget projections for 2016/17 and 2017/18.

We were informed that:

- Annually, the Joint Advisory Group recommends to the constituent local authorities the contribution required for the continued effective operation, management and governance of the Wye Valley AONB Partnership.
- The contributions from the local authorities form the foundation to the budget managed by the AONB Unit.
- Since 2011/12 an annual reduction of 5.4% has been implemented, in line with agreed reductions in Government funding for AONBs in England of 21.4% over the current Government Spending Review period to 2014/15.

- For 2015/16, Defra has announced it will hold AONB funding at the 2014/15 level.
- Gloucestershire County Council has made a three year flat rate funding commitment to the AONB and a three year funding application has been requested and submitted to Natural Resources Wales by the AONB Unit.
- Other funding partners are requested to make similar three year commitments aligned with the budget projections for 2016/17 and 2017/18.
- The AONB budget is used to lever in grant aid and additional resources to deliver partnership projects.
- During 2015/16 the AONB Unit will be revising its structure and delivery of services in the AONB to efficiently maximise available resources.
- It was unknown at this stage what the implications would be for AONBs under the next Government and Spending Review period.
- Based on current budget projections the AONB Unit would need to downsize during 2016/17 from five full time equivalent posts to four.
- From 2015/16 one member of staff will reduce their working hours to four days per week.
- The AONB Development Officer Post will become vacant at the beginning of 2015 and it was intended to recruit to fill that role. The officer leaving the post will be taking up a post within Gwent Wildlife Trust.

Having received the report, the following points were noted:

- A memorandum of understanding was being sought for the next three years regarding the budgets outlined in the report.
- The AONB Unit was looking to make efficiencies and was changing the way in which it worked, i.e., it no longer produced a printed events programme. It no longer printed documents, unless requested. The Picturesque newsletter would move to an electronic format and the website and social media would be used to greater advantage.

We resolved:

- (i) to request from the constituent local authorities the outlined financial contributions for the Wye Valley AONB;

APPENDIX 2 - A

Grant Offer letter from Defra



Department
for Environment
Food & Rural Affairs

T:
helpline@defra.gsi.gov.uk
www.defra.gov.uk

James Bisset
Parks, Countryside and Leisure
Herefordshire Council
PO Box 41
Leominster
HR6 0ZA

Your ref:
Our ref: AONB/G/App
Date: 7 March 2015

Dear James,

AONB Funding Offer 2015/16: Wye Valley AONB

Further to Sarah Hendry's letter of 17 December 2013, I am pleased to inform you that Defra is prepared to offer Wye Valley AONB Partnership the following funding:

2015/16 – **£122,001** (One hundred and twenty two thousand and one pounds)

The wider fiscal outlook for public finances remains uncertain, particularly given this is a General Election year and we will face added uncertainty with a new Administration taking office.

If changes in the financial situation do arise we will ensure that you are notified as soon as possible. These are challenging times and your efforts in managing budgets are very much appreciated. Both the sponsorship and finance teams are available to work with you on any issues you may have.

This Offer is made under section 98 of the *Natural Environment and Rural Communities Act 2006*. It includes a maximum contribution of **£113,104**, to core funding and is conditional on you securing match funding equivalent to 25% of core funding, in cash terms, from other sources, such that Defra funding does not exceed 75% of the total core funding.

The total Offer also includes a contribution for Sustainable Development Fund (SDF) and/or project funding. The Funding for 2015/16 is to enable you to support the work of the AONB Partnership as more fully described in your Funding Application documents.

The funding comes as a single sum, leaving you free to make your own choices about how the money is allocated within the context of your Funding Application, the AONB Management Plan and your statutory duties under Part IV of the *Countryside*

and Rights of Way Act - making best use of all available funding sources in producing a programme of work.

This Offer is subject to the *Terms and Conditions of Grant* for funding and the *Defra AONB Grant Payment Schedule 2015-16* which sets out details of when monies can be claimed and the reporting requirements which are attached to the Offer.

Should you wish to accept this Offer on the terms stated, please sign and date the accompanying acceptance form and return by 15th April 2015 either as a PDF attachment in an e-mail to NationalParks.AONBs@defra.gsi.gov.uk or by post to Peter Oluwole Ajibola, Protected Landscapes Team, Defra, Area 1D, Nobel House, 17 Smith Square, London SW1P 3JR.

If you have any queries about this Offer, please contact Peter Oluwole Ajibola on oluwole.p.ajibola@defra.gsi.gov.uk, tel: 0207 238 4279, who will be pleased to advise you. We look forward to playing our part with you and alongside Natural England and the NAAONB in maintaining and developing strong and effective AONB Partnerships, and in delivering the Government's and the Partnerships' aspirations for the AONB family.

Yours sincerely,



Tom Surrey

Deputy Director

Landscape and Outdoor Recreation,
Department for Environment, Food and Rural Affairs
1/09 Temple Quay House, Bristol, BS1 6EB
telephone: 0207 238 6516
mobile: 07795221732
e-mail: tom.surrey@defra.gsi.gov.uk

APPENDIX 2 - B

Grant Offer letter from NRW - awaited / to follow