

Evaluation of the benefits arising from the CRoW Act 2000 provisions to create the Cotswolds Conservation Board

# Executive Summary



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Conservation Boards offer a new model, or third way, for the governance of protected landscapes in England. This report provides the first independent analysis of how that model has been working in practice in the Cotswolds Area of Outstanding Natural Beauty (AONB).

Land Use Consultants (LUC) was invited by the Cotswolds Conservation Board to evaluate the benefits arising from the formation of the Board following the Countryside and Rights of Way (CRoW) Act 2000 and to ensure that the lessons learnt over the first five years of the Board's existence are recognised in order to improve future practice.

In order to evaluate the Board's progress the following consultation and engagement took place:

- A **workshop** was held with nine Executive Committee Members to review advantages of the Conservation Board and make comparisons between the Cotswolds AONB Partnership and the Cotswolds Conservation Board.
- A **questionnaire** was circulated to all Executive Committee Board members, all other Board members, staff, and a selection of Government agencies and departments, based on the 2004 Cotswolds AONB Partnership publication "*Advantages of Creating a Cotswolds Conservation Board*". Forty-four stakeholders responded to the questionnaire.
- Specific **telephone interviews** were carried out with a number of stakeholders following the questionnaire where further information was required or stakeholders could not attend meetings.
- A **meeting** was held specifically for Natural England and Defra officers.

The feedback from these consultation and engagement activities was recorded and analysed to build up a picture of performance. These findings are presented in **Chapter 3** of the main report.

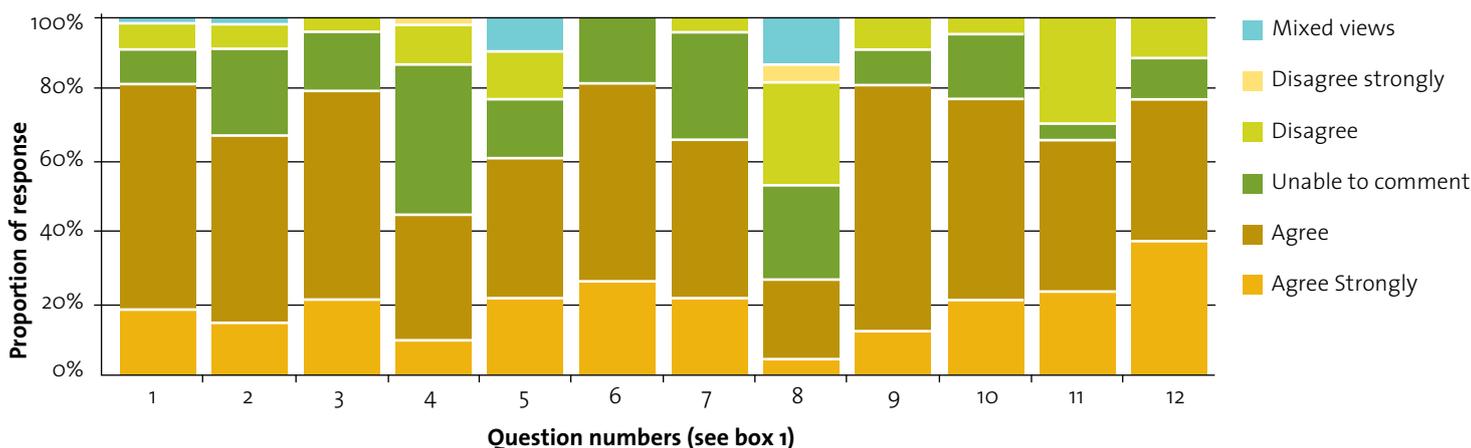
## Key Messages from this Evaluation

The overall conclusion arising from this review of the Conservation Board's achievements to date is a positive one. It confirms that the Board is more effective at delivering the purpose of AONB designation than the former AONB Partnership; that there is strong support for the Board especially amongst Members and staff; and that it has performed better than the former Partnership in a number of important areas, whilst also taking on a new purpose and duty.

**Chapter 3** of the main report analyses the consultation responses in detail. Fourteen key questions were posed (see Box 1) and replies were recorded under categories ranging from strong agreement with the statement to strong disagreement, with mixed opinions and 'unable to comment' recorded separately. **Figure 1** provides a visual summary of the responses to the questions which could be quantified.

1. In most cases the 'unable to comment' response was given because the respondent had little or no experience of the Partnership that preceded the Board. In a few isolated cases a question was not answered. These are recorded in the main figures in Chapter 3, but are excluded in Figure 1 for clarity.

**Figure 1. Consultation Responses to the 12 Evaluation Questions**



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## Box 1. List of Questions from the Evaluation Framework

1. Is the Board perceived to have a special status and a more powerful voice (than the former Partnership)?
2. Is the Board more effective at working for the AONB?
3. Has the Board's second purpose of increasing "understanding and enjoyment" made a difference?
4. Is the Board effective in delivering its duty which is "to foster the economic and social well being of its local communities?"
5. Does the Board offer strong and decisive leadership?
6. Is the Board a force for action and innovation?
7. Is the Board a stronger local champion as a result of the structure of the Board?
8. Has the Board improved funding and achieved a more secure future?
9. Does the Board act for positive change?
10. Is the operation and development of the Board run in an efficient manner?
11. Are there additional benefits (from the existence of the Board) over and above those identified above which were originally intended?
12. Are there any unforeseen disadvantages of the Board which were not recognised prior to the Establishment Order?

As illustrated in **Figure 1** between **75-80%** of respondents agreed that, in comparison with the former Partnership, the Board is perceived to have a special status and more powerful voice, it is making a difference through its second purpose in terms of increasing understanding and enjoyment, it is a force for action and innovation and it acts for positive change. In terms of local action, **65%** of respondents supported the view that the Board is more effective at working for the AONB, and is a stronger local champion as a result of the structure of the Board.

Alongside these very positive opinions about the Board there was an equal acknowledgment (from **80%** of respondents) that there were certain disadvantages that had not been anticipated in the Establishment Order, including the Board's inability to reclaim the costs of VAT, and the high level of bureaucracy involved in setting up the Board and administration. On the other hand most respondents (**65%**) felt that the Board had the potential to achieve more in the long term than had been envisaged in the Establishment Order.

Responses to two questions reflect a level of uncertainty from consultees on specific issues.

- **45%** of respondents considered that the Board is effective in delivering its duty to foster economic and social well being of its local communities but an equal percentage did not know whether this was the case or not and **15%** disagreed.
- On the issue of funding, only **25%** of respondents felt that the Board had been able to improve on previous funding arrangements while over **30%** concluded that the existence of the Board had not guaranteed a secure financial future. A significant number (15%) had mixed views on this subject.

Chapter 4 of the main report presents the findings and conclusions in full. Notwithstanding the overall positive findings from this review, there are four recurring themes that were identified:

- The level of security of funding – the Board had not been able to achieve a more secure financial future to date;
- Decision making structures and administration – there is a natural tension between the need for effective and accountable decision-making and the efficient running of the Board with the desire for all Board members to be involved in the development and implementation of its policies.
- The delivery of the Board's duty – the duty to have regard to the social and economic issues facing the AONBs communities is delivered in the context of the Board's two purposes rather than as a stand alone activity;
- Regional influence – the AONB's geographical extent into three regions challenges the Board's staff and financial resources in terms of the level of engagement that can be sustained across the three regional networks.

## Opportunities for the Board to take forward

A number of possible ways forward are suggested for the Board's consideration, in order to improve its overall effectiveness and address some of the concerns raised through the consultation process. Ideas suggested by respondents include and can be summarised as:

- Developing the ongoing working relationships with local and regional partners and other organisations;
- Continuing to act proactively as a catalyst for action amongst partners;

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- Exploring new opportunities to attract external funding;
- Applying further scrutiny and refinement to the Board's structure of committees and meetings;
- Creating more opportunities for facilitated debate of important issues by all Board members;
- Examining the benefits of drawing up an informal 'job specification' for all Board members;
- Monitoring the resources that the Board spends on developing new initiatives and attracting new funding streams.

## Challenges for Partners

This evaluation has also identified opportunities for action by other organisations to enhance the work of the Cotswolds Conservation Board, within the context of the family of protected landscapes. Specifically, it is suggested that Natural England, as the sponsoring body for Conservation Boards and Defra as the relevant Department, could assist by:

- Reviewing the performance of all protected landscape administrations with a view to sharing lessons learnt in their different responses to the purposes and duties;
- Setting out a position statement, and practical guidance on what is expected in terms of collaboration between National Parks, Conservation Boards, other AONB management organisations, and their respective associations and advisory bodies;
- Undertaking the scheduled financial review of roles and responsibilities of AONB Organisations in relation to the area covered and size of administration; and
- Publish a Revised Funding Formula for AONBs which takes account of existing anomalies, in particular ensuring that the financial allocations received by Conservation Boards specifically acknowledge the additional purpose and duty placed on them by the CRoW Act 2000.

## The advantages offered by Conservation Board status

Although limited by the tight remit of this evaluation and the range of consultees interviewed, tentative conclusions can be drawn, based on the experiences of the Cotswolds Conservation Board<sup>2</sup>, on the potential benefits offered by Boards in comparison to other governance structures of protected landscapes. It is hoped that these conclusions will inform national debate on the development of these governance arrangements.

- Conservation Boards' independent status, clear purposes and duty and the election or appointment of Local Authority, Parish and Secretary of State appointees, enables them to focus more closely on the delivery of Conservation Boards' statutory purposes and duty, free from many of the wider local authority purposes and responsibilities that can be a distraction for AONB Partnerships.
- Their independence also allows them to speak with more authority than Partnerships at a national, regional and local level (for instance as statutory consultees on National Policy Statements and Nationally Significant Infrastructure projects).
- Boards' status as accountable bodies potentially enables them to act as delivery agencies for national, other sub-regional and local bodies within their AONBs, ensuring that national, regional and local programmes are implemented in ways that fully reflect the statutory purposes of the AONB and Board.
- In comparison with National Park Authorities, Boards are not burdened by delivering a development control function, allowing them to concentrate on a strategic approach to influencing planning policies.
- Boards' ability to determine their own structure in liaison with Government and establish a balance of local authority, parish and nationally appointed members enables them to speak authoritatively for the different interests that are implicit in their two statutory purposes and duty.

Land Use Consultants, June 2010

2. The remit of the study did not extend to the other Conservation Board that covers the Chilterns AONB.

