

THE CONSERVATION BOARD'S MAIN LEGISLATIVE AND POLICY FRAMEWORK

Summary: A summary of the main legislative and policy framework referring to the Board and a record of when associated Board policy has been agreed, reviewed and is next scheduled for review.

Recommendations:

(a) To note the main national legislative and policy framework under which the Board operates;

(b) to note the Board's own Constitution, Position Statements, Policies and Statements and the date of their agreement and planned review.

Officer Ref: Martin Lane, Director

Background:

1. Discussion at the Executive Committee has highlighted that all Board members need to be fully aware of the main legislative background and policy framework referring to the Board and under which the Board operates.

2. The sections below set out the main legislative background and policy context as well as the Board's own related policies and statements. They highlight when policies were agreed, last reviewed and are next due for review.

Countryside & Rights of Way Act 2000 (CRoW Act), as amended by the Natural Environment and Rural Development Act 2006. The enabling legislation for Conservation Boards, including confirmation of the two statutory purposes and socio-economic duty of the Boards.

The Cotswolds AONB (Establishment of Conservation Board) Order 2004 (Statutory Instrument (SI) 2004 No. 1777), as amended by the Local Government (Structural Changes (Miscellaneous Amendments and Other Provision) Order (SI 2009 No. 837)). The SI that established the Board and guides its operation.

The Cotswolds Conservation Board's Constitution.

The Constitution brings together or references a series of documents that legislate, guide or inform the way the Board is required to operate (in particular the CRoW Act and the Establishment Order), alongside the Board's own decisions as to how it should operate. Essentially an on line document that includes:

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- Articles, setting out the basic principles of the Board's organisation
- Members Code of Conduct
- Officers Code of Conduct
- Budget and Policy Framework Procedure rules
- Financial and Contract Regulations
- Officer employment procedure rules
- Access to Information Procedure rules

- Board member role profile
- Board member allowances scheme

The Constitution was reviewed, revised and agreed at the June 2019 Board meeting.

Other financial legislation and guidance:

- Local Audit & Accountability Act 2014
- Accounts and Audit Regulations 2015
- The Local Audit (Smaller Authorities) Regulations 2015
- Governance and Accountability for Smaller Authorities in England, March 2019.

The Cotswolds AONB Management Plan, 2018 – 2023, adopted in September 2018 and fully published in November 2018. The CRoW Act 2000 requires the Board to publish a 5 year Management Plan, which formulates the Board's policy for the management of the AONB and for the carrying out of their functions in relation to it.

The Conservation Board's Position Statements, a series of Position Statements that expand on Board's policies within the Management Plan or advance and develop new Board policy and thinking on issues that may emerge between the adoption and publication of a plan. The Position Statements are published on and available to download from the Board's website:

- Tranquillity Position Statement (adopted June 2019)
- Conserving and Celebrating Cultural Capital in the Cotswolds AONB (March 2019), Issued as a draft for consultation
- Cotswolds Dark Skies & Artificial Light Position Statement (March 2019)
- Cotswolds National Park Position Statement (December 2018)
- Tree Species and Provenance (June 2017)
- Keeping Of Horses and Ponies (June 2017)
- Management of Wild Deer (June 2017)
- Health & Wellbeing Benefits of Countryside Access in the Cotswolds AONB (2016)
- Development in the Setting of the AONB (June 2016)
- Public Rights Of Way (October 2015)
- Neighbourhood Plans (October 2015)
- Management of Roadside Verges (October 2015)
- Renewable Energy (Revised April 2014)
- Housing and Development (2013)
- Minerals and Waste Planning (2013)
- Telecommunications and Broadband (2013)
- Employment (October 2013)
- Transport (2013)
- Affordable Housing (2013)
- Miscanthus (June 2013)

The Position Statements should be regularly reviewed by the relevant task and finish group or working group and the Executive Committee, with any recommended change of policy agreed by the Board.

Other Board policies and statements, a series of policies and statements reviewed and adopted by the Board:

- Treasury Management Strategy 2019/20; agreed June 2019, for review February 2020.
- Policy and Protocols on Financial Reserves, agreed June 2019.
- Corporate Governance Framework Review 2018/19, agreed June 2019.
- Annual Governance Statement 2018/19; agreed June 2019.
- Annual Governance and Accountability Return 2018/19, agreed June 2019.
- Statement of Accounts 2018/19, agreed June 2019.
- Health and Safety Policy, agreed March 2019.
- Procurement Waivers 2018/19, agreed April 2019, for review May 2020.
- Fixed Assets policy and procedures in respect of its non-current assets, agreed February 2019, for review February 2020.
- Risk Management Policy and Framework, agreed February 2019, for review September 2019.
- Corporate Risk Register, agreed February 2019, for review September 2019 and February 2020.
- Communications Strategy 2017-20, agreed November 2018, for review September 2019.
- Comments, Complaints and Compliments Policy, agreed July 2018, for review September 2019.
- Confidential Reporting Policy & Procedures, for review November 2019.
- Anti-fraud and Corruption Policy & Strategy, for review November 2019.
- Investment Performance, for review February 2020.
- General Data Protection Policy, GDPR, agreed July 2018.
- Cotswold Way Events Policy, agreed June 2017.

Supporting Paper(s):

None.