

## EXTRAORDINARY COUNCIL – 21 JANUARY 2020

### **4. APPROVAL OF THE NEW ARRANGEMENTS FOR THE CHILTERN CONSERVATION BOARD (CED)**

#### **1 Summary**

- 1.1 The report seeks to agree the new arrangements for the Chilterns Conservation Board as a result of the formation of the new single unitary Buckinghamshire Council.

#### **2 Details**

- 2.1 From 1 April 2020, five authorities are to become part of the new Buckinghamshire Council (Bucks County Council, Wycombe District Council, Chiltern District Council, Aylesbury Vale District Council and South Bucks District Council). All these five Councils are currently represented on the Chiltern Conservation Board which is described as the Chiltern Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (Statutory Instrument No. 1778).
- 2.2 The Chilterns Conservation Board have been asked by the Ministry of Housing Communities and Local Government (MHCLG) to secure approval from all the Board Members for a new or amended Statutory Instrument to go before Parliament on 24 February 2020 concerning the membership arrangements for the new Buckinghamshire Council. A letter has been received from the Chief Executive Officer of the Chilterns Conservation Board on 17 January 2020 requesting our approval to the new arrangements as a Member on the Board.
- 2.3 Before MHCLG officials can send the draft Statutory Instrument to the next stage a letter is required from each local authority represented on the Chilterns Conservation Board. The letter will need to confirm agreement for the new Buckinghamshire Council continue to have five members (i.e. retain the status quo) represented on the Board from 1 April 2020, when the new unitary authority will come into effect.
- 2.4 This new arrangement would be permanent as the MHCLG have advised that Statutory Instruments cannot reflect temporary changes and would be permanent until such time as other changes are implemented. These include the recommendations on the Area of Outstanding Natural Beauty (AONB) Board membership set out in the Government-commissioned Landscapes Review of National Parks and the AONBs, published in September 2019. The MHCLG has further advised that the recommendations in the Glover Report, and the potential for future change, may be referred to when the Statutory Instrument is laid, subject to the agreement of the Department of Environmental, Food and Rural Affairs (DEFRA) colleagues.
- 2.5 The Council nominee to the Board for 2019/20 is Councillor Raj Khiroya.

#### **3 Options and Reasons for Recommendations**

- 3.1 Council are asked to agree that Buckinghamshire Council can continue to have five members on the Board when the new Buckinghamshire Council comes into effect on 1 April 2020 and that a letter is sent to the CEO of the Chilterns Conservation Board from the Leader of the Council to this effect.

#### **4 Policy/Budget Implications**

4.1 The recommendations in this report are not within the Council's agreed policy.

4.2 There are no budget implications.

## 5 Equal Opportunities, Environmental, Community Safety, Public Health, Staffing, Customer Service Centre, Communications and Website

5.1 None specific.

## 6 Legal Implications

6.1 There is a legal requirement to make or amend the Statutory Instrument to reflect the new single unitary Buckinghamshire Council and its representation on the Chilterns Conservation Board.

## 7 Risk and Health and Safety Implications

7.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

7.2 The subject of this report is not covered by the Council's corporate plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
To not agree for Buckinghamshire Council to have five members on the Board.	May have implications on the membership of the Board in the future	All parties agree the future membership	Treat	4

7.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely Likelihood ↓	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12

	<b>Low</b> <b>2</b>	<b>Low</b> <b>4</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>8</b>
	<b>Low</b> <b>1</b>	<b>Low</b> <b>2</b>	<b>Low</b> <b>3</b>	<b>Low</b> <b>4</b>
	<b>Impact</b>			
	Low -----> Unacceptable			

**Impact Score**

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

**Likelihood Score**

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

**8 Recommendation**

8.1 Council are asked to agree that Buckinghamshire Council can continue to have five members on the Board when the new Buckinghamshire Council comes into effect on 1 April 2020 and that a letter is sent to the CEO of the Chilterns Conservation Board from the Leader of the Council to this effect.

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Data checked by Anne Morgan, Solicitor to the Council

Appendices: Appendix 1 – Details on the appointment by the Council to the Board

Background Papers: Outside Bodies report to Council – May 2019 and Minutes and Letter from CEO of Chiltern Conservation Board

**Appendix 1- Details on the Appointment by the Council to the Board**

The Board, set up by Parliament, gives the Council the right to appoint 1 Board Member. The appointed Member is not appointed as a Three Rivers District Council representative but acts independently and is paid an allowance and travel expenses by the Board. There are 3 meetings each year which are held in and around the Chilterns Area of Outstanding Natural Beauty (AONB) between 10am and 1pm. Three Rivers District Council currently appoints its representative for one year but it is at the Council’s discretion how long that appointment is for. The representative has to be a serving Councillor.

On an annual basis, at the annual general meeting, members can seek election to two formal sub committees. The Board’s Executive Committee and Planning Committee meet 3 times a year in the Board’s office in Chinnor.