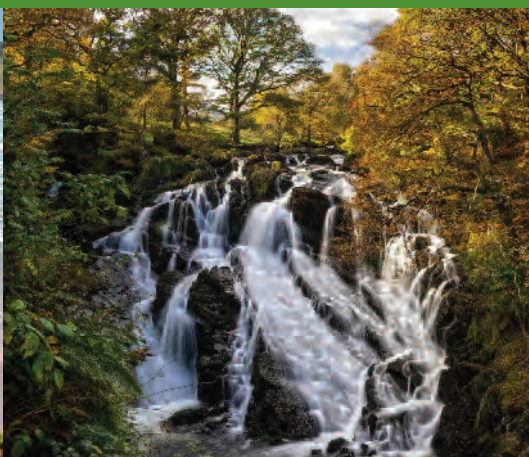




The Review of Designated Landscapes in Wales

STAGE TWO

Response by National Parks Wales, May 2015



The three National Park Authorities work in partnership as National Parks Wales (NPW). NPW promotes the purposes and interests of Wales' three National Parks; Brecon Beacons, the Pembrokeshire Coast and Snowdonia.

NPW provides National Park Authorities with the means of identifying issues of joint interest and agreeing outputs. Information and experiences are shared between colleagues, policy makers, local communities within National Parks and visitors to these protected areas.

The Review of Designated Landscapes – Stage Two Response by National Parks Wales

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Executive Summary

ES1 The three National Parks Authorities, working together as National Parks Wales, welcome the opportunity of submitting evidence to Stage 2 of the Review of Designated Landscapes. We consider that this is an opportunity to build on our success in managing and conserving the precious National Parks of Wales over the past 60 years.

ES2 The tensions that inevitably arise between the pursuit of national objectives and local needs and accountability are well recognised. The current model of involving both national and local interests, managed by an independent National Park Authorities (NPAs), has struck an appropriate balance between managing these tensions and delivering outcomes of benefit to the whole of Wales.

ES3 It allows us to maintain strong links with Unitary Authorities and our local communities, whilst also reflecting the national interest in National Parks through appointed members, and funding and outcomes provided by the Welsh Government.

ES4 The continuation of multi-functional and multi-disciplinary NPAs is essential if National Parks are to play a full part in meeting the challenges of 21st Century Wales, including those of poverty alleviation, the well-being of future generations, sustainable natural resource management and the move to a new post-carbon economy.

ES5 Like many small, resource-efficient bodies, we are greater than the sum of our parts and removing some functions could have major unintended consequences on our ability to deliver others.

ES6 It is important therefore that we have the necessary tools to fulfil our purposes as well as the new responsibilities recommended by the Panel in Stage 1 of the Review, particularly:

- Complete land use planning and landscape management functions;
- Enhanced economic development powers;
- Recognition as regional delivery hubs;
- A leadership role in Destination Management;
- Responsibility for the Rural Development Plan (RDP) in the areas in which we operate;
- Statutory responsibility for public rights of way.

ES7 We have articulated our vision and ambition across four broad themes:

- Sustaining and promoting our natural and cultural resources;
- Strengthening our local communities;
- Defining our place in 21st century Wales;
- Clarifying our key relationships.

ES8 The following governance-related factors prevent us from achieving this vision:

- The weak 'have regard to' duty;
- An absence of sustained national leadership on National Parks;
- Disproportionate reporting and audit requirements;
- The potential loss or diminution of our land use planning function.

ES9 We have made a number of suggestions to address these factors, including:

- The setting up of a national leadership forum to develop more collective leadership and vision, share best practice and drive greater collaboration;

- A strengthened duty on relevant authorities;
- A more explicit partnership approach to developing and delivering National Park Management Plans;
- More visible and consistent leadership from the Welsh Government and Assembly Sponsored Bodies;
- Establishing National Park Authorities as models for integrated reporting.

ES10 NPAs are recognised as exemplars of good governance in local government and we strive to be progressive and inclusive in all aspects of our governance and to ensure that our governance structures are representative of different sectors and groups.

ES11 We agree with the Minister's vision that there should be greater diversity in appointments in terms of gender, disability and ethnicity. Diversity issues should be fully integrated within the appointment process, so that they are considered alongside the need for National Parks to appoint experienced people with the right skills sets.

ES12 We have highlighted a number of possible options to ensure greater accountability and transparency on the selection and appointment of NPA members, including:

- Strengthening community representation e.g. by appointing a proportion of NPA members from town and community councils;
- Increasing the transparency and consistency of the appointment process;
- Setting guidelines to assist local authorities in selecting candidates for NPAs, including on a maximum term for membership;
- Removing the political balance requirement or restricting it to wards either wholly or partly within the National Park;
- Conducting an annual skills audit of all NPA members;
- Consideration of a direct elections pilot;
- Updating Ministerial guidance on NPA appointments.

ES13 The Review of Designated Landscapes offers an opportunity to further strengthen the local accountability of NPAs, whilst ensuring that we remain robust and relevant bodies operating efficiently and collaboratively in the new delivery landscape.

ES14 The founding legislation equipped us with purposes and systems that have enabled delivery over many decades and it is equally important now that modifications and changes are similarly robust, whilst allowing for dynamic processes to take place.

Introduction

I1 The Welsh National Parks have been the subject of several independent and government reviews since they were first established in the 1950s, with each review assessing current arrangements and recommending improvements to the underpinning legislative and policy framework and management systems.

I2 When the National Parks were first established they were managed either through joint local boards or local committees of County Councils.

I3 In the early 1990s, an independent panel chaired by Cardiff University Professor Ron Edwards reviewed the operation of the Parks over the past 40 years and set out a vision for their future, culminating in a report known as the Edwards report¹. One of the review's principal recommendations was for the creation of free-standing, independent NPAs as local government management was not delivering National Park purposes effectively.

I4 The principle of and rationale for free-standing, independent authorities was accepted by the Government, which agreed that a County Council, with its wider remit, would not be able to give the same focus and resources to a National Park that an NPA would. Provision was subsequently made for the establishment of free-standing, independent authorities through the Environment Act 1995.

I5 The NPAs in Wales were set up in 1996. Initially, Welsh Office Circular 13/99 provided strategic guidance to them on the practical implementation of their core functions. In 2004, the Welsh Government published the results of an independent review of the National Parks. In 2007, the Welsh Government produced a policy statement on National Parks and NPAs² and has recently consulted on a replacement policy statement³.

I6 In 2013, the Commission on Public Service Governance and Delivery⁴ conducted an examination of the way that public services are governed and delivered in Wales, and considered how they might be improved. Following extensive inquiry and evidence gathering the Commission reported in January 2014.

I7 The Commission recognised the rationale for and importance of NPAs operating independently and concluded that the distinctive focus of NPAs on conserving and promoting sustainable access to National Parks would be at risk if their functions were transferred to local authorities (paragraph 2.60). Instead, the Commission recommended that NPAs build on their existing collaborative efforts and develop clear and consistent ways of collaborating with each other, and with local authorities and other bodies such as Natural Resources Wales, to avoid duplication, share expertise and maximise the use of limited resources.

I8 The Review of Designated Landscapes offers an opportunity to further strengthen the local accountability of NPAs, whilst ensuring that they remain robust and relevant bodies operating efficiently and collaboratively in the new delivery landscape.

¹ Report of the National Parks Review Panel, the Countryside Commission (1991)

² Policy Statement for National Parks and National Park Authorities, Welsh Government (March, 2007)

³ Consultation on the draft Policy Statement for Protected Landscapes in Wales, Welsh Government (June 2013)
<http://wales.gov.uk/consultations/cultureandsport/landscape/?lang=en>

⁴ Commission on Public Service Governance and Delivery, Full Report (January 2014)
<http://wales.gov.uk/docs/dpsp/publications/psgd/140120-psgd-full-report-env2.pdf>

Question 1

What are the most effective governance arrangements for designated landscapes that allow them to lead on and meet ambitious outcomes within and for Wales?

1.1 Evolving the local authority model

1.11 The governance of NPAs is unique as we are accountable through both the Local Government Measure⁵ and the requirements of Assembly Sponsored Public Bodies. The model of managing National Parks in the UK is recognised internationally as one that respects and engages the interests of local communities in relation to conservation⁶. Whilst the governance of National Parks differs slightly across the UK it always involves both national and local interests.

1.12 Successive governments and NPAs have been involved with governance issues for many years. There is no easy solution to managing the tensions that inevitably arise between the pursuit of national objectives and local needs and accountability. The current model of involving both national and local interests, managed by an independent NPA, has struck an appropriate balance between managing these tensions and delivering outcomes of benefit to the whole of Wales.

1.13 We therefore feel that overall the current model of governance for National Parks is sound and should be retained. This allows us to maintain strong links with Unitary Authorities and our local communities, whilst also reflecting the national interest in National Parks through appointed members, and funding and outcomes provided by the Welsh Government. We consider that there is scope for greater collaboration on the delivery of our services and functions and a shared approach to reporting, but that there is a strong case for retaining separate governance arrangements for National Parks and Areas of Outstanding Natural Beauty (AONBs).

1.14 However, we do feel that a number of improvements to our governance arrangements could be made, which we set out in our response to Question 4.

1.2 A multi-disciplinary approach to deliver the priorities of Wales

1.21 The Review provides an opportunity to recalibrate the delivery model for Designated Landscapes in Wales in a context defined by many interconnected factors, including the continued decline in biodiversity, increased poverty and health inequalities and the changing climate, which exacerbates vulnerabilities of both people and biodiversity.

1.22 NPAs offer models for integrated delivery on these Welsh Government priorities, as well as on the development of a green economy and sustainable natural resource management. The social focus of NPAs can deliver sustainable communities, whilst a whole Park approach means the NPAs are key delivery agents for moving to a new post-carbon economy.

1.23 The continuation of multi-functional and multi-disciplinary NPAs is essential if National Parks are to play a full part in meeting the challenges of 21st century Wales. Our ability to properly plan, manage and influence the development and conservation of the National Park is essential. National Park Management Plans provide a vehicle for achieving

⁵ Local Government (Wales) Measure 2011 <http://www.legislation.gov.uk/mwa/2011/4/part/6>

⁶ The Welsh National Parks are classified by the IUCN as Category V Protected Landscapes, a status defined by a balanced interaction between people and nature. This has recently been reviewed and re-assigned

these outcomes, but, as we argued in our Stage 1 response, the Plans should expand to become the de facto well-being and local natural resource plans for the National Park.

1.24 Associated with this, our land use planning function allows us to connect and deliver many different parts of our work and is a critical element of our governance. We believe that full retention of this function is essential for the delivery of our purposes, Welsh Government priorities and the recommended outcomes of Stage 1.

1.25 Like many small, resource-efficient bodies, we are greater than the sum of our parts and removing some functions could have major unintended consequences on our ability to deliver others.

1.3 The right tools to do the job

1.31 We believe that the Review of Designated Landscapes offers a timely opportunity to ensure that NPAs are equipped with the right tools, resources and powers to enable us to deliver our purposes, the associated duty and other Welsh Government priorities.

1.32 There are a number of historical institutional arrangements which have had a material impact on our ability to deliver National Park purposes and the associated duty (see Sections A11 and C5 of our Stage 1 response for further details), and which would affect our ability to deliver the expanded range of responsibilities proposed by the Panel in its Stage 1 Report. These include:

- **The disjointed nature of various regulatory regimes** e.g. development management, building regulation and environmental health are managed by different bodies within National Parks. Better co-operation between these services would provide a more user-friendly interface for communities and businesses wishing to undertake works that fall within the different regimes;
- **The lack of tie-in between national agri-environment schemes and National Park purposes** e.g. the successor to Glastir will benefit the rural economy and environment in a number of ways, providing the opportunity to improve large areas of the uplands as well as productive farmland in sensitive areas. It is essential that the development of the successor scheme and future targeting of RDP funds are done with National Park purposes and National Park Management Plan objectives in mind, which would benefit National Park landscapes more fully;
- **The large number of public bodies operating within National Parks on the management of natural resources. We believe there is scope for new forms of partnership working and possible transfer of management responsibility on natural resource management** e.g. the partnership management and promotion of Cwm Idwal National Nature Reserve⁷ by Snowdonia NPA, Natural Resources Wales and the National Trust could offer valuable lessons for other areas.

1.33 In addition, we believe that retaining or expanding our powers in the following areas would allow us to remain effective delivery bodies:

- **A complete land use planning function** – the operation of an integrated land use planning function allows us to deliver our current responsibilities including on tourism promotion and climate change adaptation. Without it, we would struggle to deliver the new responsibilities recommended by the Panel in its Stage 1 Report, particularly regarding the economic and social development of our local communities;

⁷ <http://www.ccw.gov.uk/landscape--wildlife/protecting-our-landscape/special-landscapes--sites/protected-landscape/national-nature-reserves/cwm-idwal.aspx?lang=en>

- **A complete landscape management function** – the density and size of protected sites and protected species populations tends to be higher in National Parks. A high proportion of Wales’ soil carbon falls within their boundaries and much of Wales’ drinking water flows from them. The role of National Parks in safeguarding biodiversity, carbon and water is therefore of national significance to the economy and well-being of Wales. With the necessary tools, NPAs can facilitate a landscape partnership for each designated landscape, similar in scope to the destination partnership;
- **Enhanced economic development powers** – as recognised by the Panel in its Stage 1 Report, National Parks need to be vibrant economic and community places. We are well placed to actively support and deliver economic development at the local level, through our Sustainable Development Funds, Rural Alliances and Collabora⁸ and we should be responsible for the RDP in the areas in which we operate. Embedding responsibility for sustainable economic and community development within our statutory purposes will allow us to play a greater role in delivering this. As explained in our Stage 1 response, this should be accompanied by an extended conflict resolution mechanism which would enable us to retain our international standing as IUCN Category V Protected Landscapes;
- **Recognition of National Parks as regional delivery hubs** – we believe that we have a significant role to play in land and natural resource management outside our formal boundaries, for example at a City Region level, and that we are well placed to act as hubs for the delivery of Welsh Government priorities on sustainable development and natural resource management, including in areas without a recognised management plan or delivery focus. This role as hubs is both an individual and a collective one;
- **Fulfilling our leadership potential in Destination Management.** NPAs already play a strong leadership role within and in developing Destination Management Partnerships⁸. Experience in the Brecon Beacons (which is a Destination in its own right, unlike Snowdonia and the Pembrokeshire Coast) clearly highlights that the leadership role could be further developed in future elsewhere, providing better opportunities for visitors, users and businesses. Much of what NPAs deliver can be regarded as contributions to the local economy through tourism – maintaining and improving the access and recreation infrastructure, information provision, site interpretation, traffic management, development management etc. Recognition of this leadership role of NPAs by Visit Wales would be helpful in enabling NPAs to develop their leadership ambitions and to deliver cohesive and sustainable destination management and development;
- **The role of NPAs as access authorities** – there would be considerable advantage to NPAs assuming statutory responsibility for the network of public rights of way within their boundaries, rather than relying on existing delegation arrangements. It would provide a more integrated and cost effective approach to the delivery and promotion of recreational and access opportunities. A ‘one-stop shop’ for access within all three National Parks would also be more straightforward for the public and would formalise what is happening on the ground but there would need to be adequate resourcing in order for us to take on this role; and
- **Stronger links to governance of marine and coastal areas** – an integrated approach to managing landscapes together with their marine and coastal hinterlands would be compatible with the joined-up approach that the Welsh Government is seeking to promote on natural resource management more widely. The National Park Management Plan could provide the means for stronger co-ordination of existing activities and

⁸ <http://business.wales.gov.uk/dmwales/destination-management>

development and to trial new approaches for the planning and management of the coastal and marine environment.

1.4 Evolving collective national leadership and vision

1.41 As the Panel recognised in its Stage 1 Report, there is a need to find mechanisms that enable and foster more effective leadership for the designated landscapes, including ways to marry national and local leadership issues.

1.42 We believe that the establishment of a national leadership forum would be a helpful addition to our governance, and would be an evolution of arrangements that have already begun to be set in place in response to the Review. It would also provide a practical way to develop more collective leadership and vision, to share best practice and to drive greater collaboration between the management bodies. We set out more detail on this forum in our response to Questions 3 and 4.

1.5 Representative and accountable governance

1.51 We strive to be progressive and inclusive in all aspects of our governance and to ensure that our governance structures are representative of different sectors and groups. We use a number of different mechanisms to achieve this.

1.52 Mentoring partnerships are an important way to spread knowledge about Designated Landscapes and to recruit new supporters and champions. All three NPAs have agreed to participate in mentoring schemes to improve the understanding of NPA members about diverse audiences, including black and minority ethnic communities, gender and under-represented age groups. These partnerships will also widen understanding of National Parks and promote increased participation in NPA governance by diverse communities e.g. the Brecon Beacons NPA⁹ is working on a mentoring scheme with Mosaic Cymru, local BME individuals and a member of the Nepalese community in Brecon.

1.53 We take care to ensure that our panels and advisory groups are representative of our communities of interest e.g. in Snowdonia, applications to the Cronfa Arbrofol Eryri (Sustainable Development Fund) are reviewed by a specially constituted Panel of representatives from the public, private and voluntary sectors (each with a one-third membership). The Panel plays an important role in the governance of this £200k per annum fund as it assesses all applications for grants over £1,000.

1.54 We also use targeted outreach projects and programmes to increase diversity e.g. in the Pembrokeshire Coast the Your Park¹⁰ project has successfully targeted a wide range of disadvantaged groups and facilitated opportunities for them to meet with and engage NPA staff and members. The project has also developed a youth ranger scheme¹¹, which provides opportunities for young people aged 16-25 from different backgrounds to participate in projects across the National Park and, in partnership with the youth assembly, promotes the views of young people in NPA meetings, discussions and consultations.

1.6 A more integrated approach to reporting

1.61 Regulation and reporting requirements for NPAs should be proportionate to our relatively small size and budget, allowing us to focus more of our resources on delivery of the purposes and associated duty. See Section 3.4 for more details.

⁹ <https://governance.beacons-npa.gov.uk/mgConvert2PDF.aspx?ID=8985>

¹⁰ <http://www.pembrokeshirecoast.org.uk/default.asp?PID=596>

¹¹ <http://www.pembrokeshirecoast.org.uk/?PID=618>

Question 2

In light of the Review's Stage One report and recommendations and the Minister for Natural Resources' written statement (dated the 4th March) what is your vision and ambition for the direction of Wales's designated landscapes in the medium to long term?

We have articulated our vision and ambition across four broad themes:

2.1 Sustaining and promoting our natural and cultural resources

- Our natural landscapes are sustained and in good heart, with a high quality, biodiverse natural environment with clean air, water, land and sea;
- Our natural resources are actively managed and provide a growing source of employment for our local communities. Our role as guardians of some of Wales' most valued natural resources and landscapes is fully recognised;
- Our historic and built environment is protected, promoted and enjoyed;
- National Parks are visited and appreciated by a diverse range of people from across Wales, the UK and overseas and there is a managed increase in local use of our National Parks and a more even geographical distribution of visitors;
- There is a wide public understanding of National Parks and their benefits, across diverse audiences, and more people value and love our Parks and landscapes.

2.2 Strengthening our local communities

- National Park communities are vibrant, resilient and sustainable and are places where innovation, social inclusiveness and collaboration are championed;
- The needs of our local communities are met, with a focus on affordable housing and the development of community facilities and services;
- Local businesses flourish, especially those that base their activity on the Parks' natural landscapes and resources;
- Local people are actively engaged in the National Park, with a greater sense of local ownership, especially from young people, and increased participation by volunteers;
- National Parks are places where the importance of the Welsh language and culture is recognised and celebrated.

2.3 Defining our place in 21st century Wales

- National Parks and the services they provide are at the forefront of Welsh policy and forward planning as essential delivery mechanisms for Welsh Government priorities, including on climate change, well-being of future generations, natural resource management, green growth, health improvement and poverty alleviation;
- National Parks act as hubs for the delivery of Welsh Government priorities, including in areas without a recognised management plan or delivery focus;
- National Parks are valued by and remain relevant to future generations, and are celebrated as prized national assets;

- Partnership working in and across National Park boundaries is mature, purposeful and truly collaborative, with freedom to test concepts and scope to innovate and follow bold approaches;
- The NPAs are leading lights in trailblazing and exemplifying sustainable development and are centres for environmental learning and innovation, testing new solutions to environmental and social challenges.

2.4 Clarifying our key relationships

- The Designated Landscapes of Wales work more closely together, whilst retaining separate purposes and governance models;
- We remain part of the UK family of National Parks, sharing experience and knowledge with our colleagues and benefitting from collaboration on joint training projects, public relations activities and special events;
- There is visible national leadership for Designated Landscapes, provided in part through the national leadership forum described in Section 1.4, but also by a clear vision and ambition from other national bodies;
- Our international standing as IUCN Category V Protected Landscapes is retained, and we continue to benefit from membership of the EUROPARC Federation;
- We have certainty of tenure, with clearly articulated priorities and goals, a secure financial footing and appropriate reporting requirements, so that our resources and energies can be focused on delivering our purposes.

Question 3

From a governance perspective, what factors are preventing and/or likely to prevent designated landscapes from achieving the vision and ambition you set out in response to question 2?

3.1 There are a number of governance-related factors which prevent us from achieving the vision and ambition that we have set out in our response to Question 2. Some of these relate to our internal governance, whilst others relate to the governance of other bodies but which are nonetheless relevant for the delivery of our vision and ambition.

3.2 Duty to have regard to National Park purposes

3.21 We welcome the Panel's suggestion in their Stage 1 report, that the weak 'have to regard' prefix should be removed from the duty commonly referred to as the Section 62 duty and replaced by a stronger duty on public and partner bodies. As we set out in Section A10 of our response to the Stage 1 consultation, the duty is widely regarded as ineffective and effectively renders us powerless to compel organisations to take fuller account of National Park purposes. Instead, we would like to see a much more engaging and positive obligation placed upon relevant authorities (see Section 4.2 for further details).

3.3 The absence of sustained national leadership on National Parks

3.31 The Commission on Public Service and Delivery highlighted a lack of national leadership for National Parks. We believe that this is affecting our ability to deliver as in the absence of sustained national leadership and vision we have been in a process of continual review of our status, responsibilities and functions, with an apparent lack of support from national bodies and a lengthy period of uncertainty.

3.32 The possibility of a single NPA was highlighted by the Commission on Public Service Governance and Delivery as a way of securing national leadership and co-ordination. We have considered this and are of the view that it would not address the national leadership vacuum. Instead, it would make it more difficult to secure local involvement and would undermine local accountability and decision-making. The majority of our services are local services and could be at risk if we were to become more distant from our local communities and service users.

3.33 Centralisation would also inevitably introduce inefficiencies in trying to co-ordinate and manage activity across three distinct geographic landscapes which are some distance from each other.

3.34 In our response to the Stage 1 consultation, we argued that stronger national leadership should be provided by Natural Resources Wales, including through Board-level leadership and ownership of a vision and statement of general policy for protected landscapes. Since the submission of that response and with the benefit of further discussion with the relevant parties, we are now advocating the setting up of a national leadership forum, on which Natural Resources Wales would play a role, but with leadership provided on a collaborative basis by the Designated Landscapes of Wales. Whilst we are strong locally, we accept that we do not do enough to influence the national agenda. **We have traditionally looked to others to provide national leadership but now feel that it is time that we, as Designated Landscapes, stepped up and took on this responsibility.**

3.35 The leadership forum would provide a vehicle for National Parks Wales and the National Association for AONBs to build on and further develop existing collaborations. It would be responsible for raising the national prominence of Designated Landscapes and promoting a more cohesive approach to working together. There would be no direct

accountability or funding relationship between the forum, the Welsh Government and the Designated Landscapes (see Section 4.3 for further details).

3.4 Reducing the regulatory burden

3.41 As local government bodies we are required to meet the same reporting and audit requirements as much larger local authorities, even though this has an adverse impact on our ability to deliver our purposes and is disproportionate to our relatively small size. Audit fees represent around 1% of public sector income for NPAs, whilst for a mid-size Local Authority the figure is around 0.10%.

3.42 There is a strong case to be made for streamlining our reporting and auditing processes and for allowing NPAs to become models for integrated reporting (see Section 4.4 for further details).

3.5 Impact of possible loss of planning function

3.51 As we highlighted in our response to Question 1, our land use planning function is a critical tool in delivering our current responsibilities as well as those proposed in the Panel's Stage 1 Report. It is also an essential part of our governance arrangements as it connects us to our local communities. We are proud of the progress that we have made in becoming three of the best performing planning authorities in Wales. Any loss or diminution of this function would without doubt affect our ability to deliver our vision and ambition. The loss of the planning function would also increase the financial burden on NPAs as they would need to retain planning skills to respond to consultations by relevant local planning authorities.

3.6 National Park Authority Membership

3.61 NPAs are recognised as exemplars of good governance in local government. All three NPAs have achieved the charter for member development and the Brecon Beacons NPA is one of only two authorities in Wales to have achieved the advanced charter for member development¹². Whilst broadly we remain content with a local authority model of governance, with specific input and expertise to reflect the national interest in National Parks, there are certain aspects of our governance which we believe could be improved, especially on the processes underpinning the appointment of NPA members. These include:

- **Turnover** – the turnover of local authority members is unpredictable and depends on a number of factors that are often unrelated to NPA activity, including local elections, portfolio changes and commitments of local councillors. Introducing a fixed term for all appointments could help to address this and avoid significant opportunity costs in training new members;
- **Parity of member appointment process** – at present, not all members are appointed by the same process. Members appointed by Welsh Government Ministers go through rigorous open competition and a competency-based interview. Local authority members are appointed by the group leader to reflect the political balance of the Unitary Authorities;
- **Member skill sets** – whilst all NPA members undergo rigorous training and development programmes, the differing appointment processes can make it difficult to maintain an overview of members' collective skills and experience, to recruit members to address specific skills gaps and to foster effective decision-making;

¹² <http://www.wlga.gov.uk/member-development-charter>

- **Political balance guidelines** – the current guidelines regarding political balance for local authority appointments can mean that appointments are made at the expense of local representation. Local authority representatives can therefore sometimes have no geographic connection with either a National Park or its communities. Political balance applies to the whole local authority not just the National Park;
- **Diversity in representation** – this is very important, but without greater consistency in appointment processes we are concerned that it will be difficult to achieve. Tools such as mentoring and outreach programmes are therefore essential in ensuring that the views of diverse communities are reflected in NPAs’ policies and decisions. The concept of developing diverse representation forums (see Section 1.54 for where this has been done for young people) could be explored to increase engagement with diverse sections of the community. This has the potential to encourage greater participation in public life, including as members or officers of NPAs;
- **Guidance on member roles and responsibilities** – national guidance on the appointment of NPA members is outdated and should be revised and expanded. There is a Welsh Government protocol on appointing members to NPAs which we understand is due to be updated and would allow for this to be done.

Question 4

From a governance perspective, what factors will allow designated landscapes to achieve the vision and ambition you set out in response to question 2?

4.1 There are a number of potential modifications that could be made to our governance arrangements, based on the factors identified in response to Question 3.

4.2 A strengthened duty to have regard to National Park purposes

4.21 As set out in Section A10 of our response to the Stage 1 consultation and in our response to Question 3, we believe that the duty needs revision and reinvigoration if it is to deliver its intended purpose of ensuring a greater buy-in from relevant authorities to the shared work of delivering National Park purposes.

4.22 We support the Panel's recommendation that the 'have regard to' phrase should be deleted and replaced with stronger wording and its aspiration to bring more meaning to the duty.

4.23 However, we maintain our view that the duty should be linked to the Management Plan rather than the purposes *per se*, as is the case in Scotland. The status of the Management Plan should be elevated with an annual delivery report laid before the National Assembly for Wales. This would provide an opportunity for management plans and any associated issues, including the contribution of public bodies, to be debated in public.

4.24 To inform this, there should be a legal requirement on relevant authorities to report annually on how they have supported the delivery of the National Park Management Plan. This could be done in combination with reporting on the delivery of relevant authorities' parallel duty to have regard to the purpose (or management plan, if this duty was also revised) of AONBs. This would help to address the concern we have raised about the lack of national leadership from some bodies, as it would require them to be more explicit about their role in delivering the collective vision and priorities of the National Park Management Plan. The effective uptake of Integrated Reporting would avoid an increased reporting burden on relevant authorities. Appropriate scrutiny of such reports could be undertaken by the national leadership forum proposed in Section 3.3.

4.25 We are also keen to explore the potential benefits of establishing a National Park Partnership in each of the three National Parks to draw up, implement and monitor the National Park Management Plan, as is currently done in the Lake District¹³ where the public, private, community and voluntary sector have come together to draw up a vision for the Park and to work together on delivering the Management Plan. Such a partnership would assist other bodies in monitoring and reporting on their contribution to delivering National Park purposes.

4.26 The guidance issued in 2005 on the duty should be updated and referred to within the Welsh Government's new policy statement on protected landscapes. The list of relevant authorities in the current guidance should be updated. Relevant authorities must be reminded of the existence and requirements of the duty.

¹³ <http://www.lakedistrict.gov.uk/aboutus/partnership>

4.27 We therefore suggest that the legislation could be amended as follows:

Duty of certain bodies and persons to support National Park Management Plans

In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority must support the National Park Management Plan as adopted under section 66(2) of the 1995 Environment Act and report annually on how this has been achieved.

4.3 More visible and collective national leadership

4.31 The Review is an opportunity to place Designated Landscapes at the centre of Welsh policy. More visible leadership from the Welsh Government and Assembly Sponsored Bodies would assist greatly with the delivery of our vision and ambition. There are a number of ways in which this might be expressed:

- Clear vision, expectations and priorities from Welsh Government, in the form of a Designated Landscapes Policy Statement;
- An ambitious strategy for Designated Landscapes, including an understanding of how this impacts on and benefits other departments;
- Secure and significant long term investment (on at least a cycle equivalent to the lifetime of each National Assembly);
- Greater understanding and appreciation of National Parks within Welsh Government and of the role National Park Authorities play in delivering Welsh Government priorities and in promoting Wales internationally;
- Inspiring leadership and strong and positive communication at all levels including from Cabinet Ministers, officials from all relevant departments and Assembly sponsored bodies;
- Retention of planning controls (local development planning and development management) with a ministerial statement endorsing the importance of the NPA planning function;
- Celebration of our role as guardians of natural resources;
- Providing us with the tools to deliver (see Section 1.3).

4.32 In Section 3.3 we have proposed the setting up of a national leadership forum. The remit of the forum should be set by the members and we suggest could include:

- Identify ways to share best practice between Designated Landscapes;
- Provide oversight to the management bodies on agreed priority activities;
- Drive stronger co-ordination and collaboration between management bodies, Natural Resources Wales and local and national government;
- Champion the promotion of Designated Landscapes within local and national government networks and other relevant forums;

- Encourage and facilitate the promotion of the benefits and value of Designated Landscapes;
- Develop and implement Welsh Government priorities with the Designated Landscapes of Wales.

4.33 Whilst there are a number of potential models for the forum, at this stage we believe that it should comprise a representative from each of the eight Designated Landscapes in Wales, as well as from Natural Resources Wales and key stakeholders such as the National Trust and the Alliance for National Parks Cymru. The Welsh Government should attend meetings as an adviser to the Forum.

4.34 There are a number of possible options for hosting and supporting the forum e.g. through the auspices of the Welsh Local Government Association. The forum should meet approximately four times per year, with the possibility of an independent chair being appointed through open competition.

4.4 National Park Authorities as models of integrated reporting

4.41 It is fully acknowledged that all public bodies must be transparent and accountable in all aspects of their work and that effective reporting is an important element of this. However, the reporting burden on NPAs is disproportionate both in terms of their staff complement and financial budgets. A good example of this is the fact that in Wales NPAs are subject to the Local Government Measure whereas those in England and Scotland are not. This in itself brings with it another raft of audit and reporting requirements.

4.42 We note that the Welsh Government's White Paper "Reforming Local Government: Power to Local People" proposes the repeal of Part 1 of the Local Government (Wales) Measure 2009 in relation to Local Authorities (Section 6.3, page 72). However, the Welsh Government does not propose to apply this to NPAs, stating that they will consult separately on proposed reform for NPAs. We ask the Panel to recommend, as part of a process to create a more appropriate regulatory system for NPAs, that the repealing of Part 1 of Local Government (Wales) Measure 2009 should apply to NPAs.

4.43 The development of the Well-Being of Future Generation Wales Act has also introduced the potential for another raft of reporting requirements as has been identified by all stakeholders including Welsh Government and Wales Audit Office and the concept of an Integrated Reporting approach has been identified as one possibility for re-laying the ground rules for reporting in Wales. The NPAs in Wales have made it known to Welsh Government, Wales Audit Office and the WLGA that they are keen to take part in a pilot programme to develop the concept of Integrated Reporting (this would require a relaxation in the current levels of reporting requirements as there is insufficient capacity to accommodate both at the same time but could lead to a better future outcome).

4.44 A single unified reporting process, based on the National Park Management Plan, would allow for future Business Improvement Plans and State of the Park Reports to be linked to and measured against the purposes – this would be seamless, transparent, clear and cost-effective and would provide a simpler system for public engagement and scrutiny.

4.5 A full land use planning function

4.51 We have consistently set out evidence on the importance of this function and the high standards to which we deliver it (see Annex 1 of this response), and we encourage the Panel to reflect this evidence and to recommend unequivocally to the Minister that NPAs should retain their planning function in full.

4.6 National Park Authority Membership

4.61 We support the retention of local and national members. For national members, we are content with the current appointment process.

4.62 We agree with the Minister's vision that there should be greater diversity in appointments in terms of gender, disability and ethnicity and we feel that this should be fully integrated within the appointment process, so that diversity issues are considered alongside the need for National Parks to appoint experienced people with the right skills sets and local representation. A matrix approach to appointments could be helpful in weighing up these different factors during the appointments process.

4.63 There are other ways to ensure that NPAs take account of and represent diverse views in their policies and decisions (e.g. by using the mechanisms outlined in Section 1.5), which should enable a wider and more diverse pool of potential members to be established, helping to address this issue over time.

4.64 Any system to appoint or elect NPA members will have a number of in-built tensions within it. Balancing diversity, local accountability, transparency and skills is undoubtedly challenging. Some of the options the Panel may wish to consider are set out below. Any changes could be trialled and reviewed after a full five-year electoral cycle, to assess their impact and effectiveness:

- The political balance requirement could either be removed or given less weighting in local authority appointments, which could make it easier to maintain a more even geographical representation of members across the Park. Consideration would need to be given to the potential risks that this may bring, given the growth of Cabinet government;
- Political balance requirements could be restricted to wards either partly or wholly within the National Park;
- Clearer guidelines could be provided to assist local authority leaders in selecting candidates, including on geographical coverage within the National Park boundary, motivation and interest of candidates and the need to avoid a dominance of any single political party;
- Decisions on NPA appointments could be made using the matrix approach suggested in Section 4.62, and, as part of a strengthened duty on public authorities to demonstrate their contribution to National Park purposes, Leaders could be asked to provide reasoning for their appointments to the Minister, increasing transparency;
- All members appointed to NPAs could undergo a formal interview, including those put forward by local authority leaders. This would provide a consistent basis for appointments that could be tailored more closely to addressing skills gaps within the membership. It would also increase transparency and accountability;
- Local authority councillors could be invited to signal their interest in becoming an NPA member when they stand for election, which would also increase the visibility of the role of NPA members amongst local communities. Brecon Beacons NPA produces a handbook for prospective candidates prior to each election;
- The connection between NPAs and National Park communities and landscapes would be strengthened by community representation at all levels of NPA governance. This could be achieved by appointing a proportion of NPA members from town and

community councils. Umbrella bodies for town and community councils such as Llais Cymru could play a useful role in facilitating this process;

- The term of membership could be reviewed – currently, the maximum term for ministerial appointees is ten years, but there is no upper limit on the length of time for which a local authority appointee can serve;
- An annual skills audit of all NPA members could be used to inform appointment (or election) processes for new members;
- A proportion of NPA members could be directly elected from the local population (this was suggested by the Commission on Public Service Governance and Delivery as a possible way of increasing accountability). A direct elections pilot could be helpful in informing how elections would work in practice but would need to assess the appetite of the public for an additional tier of elections, which previous consultations have revealed to be low;
- However, the nature of a National Park is very different from a local authority and there are several potential downsides of direct elections including the risk that individuals stand for election on a single issue platform, without a wider interest in the work of a National Park. Complications would arise where Park boundaries straddle current electoral wards;
- We are concerned that we could be required to fund the costs of running direct elections from our own budgets. Direct elections for NPAs would need a bespoke electoral register, requiring significant start-up funding, as well as ongoing funding to maintain and update the register and advertise and run the elections. Any diversion of NPA budgets to fund the running direct elections would affect our ability to deliver our purposes and the associated duty.

4.7 Funding National Park Authorities

4.71 National Parks in the UK are supported by a number of different financial models. In England, National Parks receive 100% of their national funding directly from Defra. 25% of NPA funding used to be provided by a levy on local authorities, which was funded by central government. This was changed in order to more accurately and transparently reflect the financing of NPAs, and because it was administratively more straightforward. The NPAs in Scotland also receive 100% of their national funding directly from the Scottish Government.

4.72 In Wales, the current position is that the three NPAs receive 75% of their national funding directly from the Welsh Government, and 25% via a National Park levy, which is a 'service block specific' within the Standard Spending Assessment formula. The Welsh Government compensates local authorities in terms of the levy for National Parks.

4.73 It would be administratively simpler for NPAs to receive 100% of their national funding directly from the Welsh Government and we ask the Panel to recommend this to Welsh Government in its final report.

4.74 Some European National Parks benefit from a local tourist tax. A long-standing principle of UK National Parks is that they are free to all at the point of entry and we would not wish to see this undermined in any way. However, given the current public funding climate we are keen to explore ways in which visitors could make a greater financial contribution to National Park management initiatives.

4.75 There are a number of options for how this might be achieved, including:

- Visitor Giving – voluntary donations are invited from visitors who feel inspired to put something back into looking after the places they love. Tourism businesses collect the contributions their customers give e.g. Nurture Lakeland operates a visitor giving scheme in the Lake District;
- Dedicated ring-fenced funds – some NPAs have established dedicated project funds which are promoted for public donations e.g. the Northumberland NPA has set up a Good Nature Fund¹⁴, earmarked for conservation projects in the National Park;
- Setting up of arms-length charitable organisations – this could be effective in fundraising for specific projects.

¹⁴ www.northumberlandnationalpark.org.uk/about/conservation-enhancement/ecology/good-nature-fund

Question 5

Are there other designated landscape/protected area governance models/approaches you wish to bring to the attention of the Review?

5.1 Given the special nature of National Parks as Category V Protected Landscapes, there are not many relevant governance models for the Panel to consider.

5.2 French Regional Nature Parks (Les Parcs Naturels Régionaux)

5.21 The regional nature park system¹⁵ was established in France in 1967 in response to the need for a flexible framework for conservation and development. Regional nature parks are classified as Category V protected areas.

5.22 The regional nature park implements a project of sustainable development, based on the preservation and enhancement of the natural and cultural heritages and local know-how. This project is managed by an organisation gathering the elected people of the local communities (regions, departments, villages etc.) and which associates local stakeholders in their decision-making. A multi-disciplinary technical team runs it and its financial means are provided by public funds.

5.23 The governance make-up is therefore broadly similar to the current system in Wales, with local and national involvement and management by a single, multi-disciplinary and publicly funded organisation.

5.24 A regional nature park area is classified by law (for ten years, renewable) by the Ministry of Environment. A significant disadvantage of this model is its potentially uncertain tenure.

5.3 Danish National Parks

5.31 Danish National parks are independent units of the government administration. Establishment of National Parks is based on broad local support. Each National Park has a decentralised management, consisting of a board, a National Park council and a secretariat. The board and its chairman are appointed by the Danish Minister for the Environment. As far as possible, all members of the board should have close affiliations to the National Park area.

5.32 At the national level a national advisory group was set up with members representing different Ministries, NGOs and the chairmen of the seven steering committees. The purpose of this committee was to assist in carrying out relevant investigations and to compile the reports from the seven pilot projects elaborating one final report to be submitted to the Ministry of the Environment. The process resulted in the elaboration of a draft proposal for a National Park Act.

5.33 Whilst the national advisory group was originally convened to provide guidance on where to establish National Parks, it highlights the potential leadership role that such a group could play on designated landscapes in Wales.

5.4 Scottish National Parks

5.41 Scotland's two National Parks are administered by NPAs and are managed broadly along the same lines as those in England and Wales. The most significant difference is that one-third of NPA members are directly elected from the local population.

¹⁵ <http://www.parcs-naturels-regionaux.tm.fr/en/parc.UK2.pdf>

5.5 The Canal & River Trust

5.51 The Canal & River Trust was established as a charity in July 2012 to look after the waterways of England and Wales. There was a transfer of ownership from the previous government-owned operator, British Waterways.

5.52 The Trust has a governing council of thirty-five members, comprising a mix of nominated and elected individuals. The council helps to shape policy, raising and debating issues, providing guidance, perspective and a sounding board for the trustees.

5.53 For each of the trust's eleven waterway areas there is a regional partnership drawn from local communities and stakeholders. In addition a Board for Glandwr Cymru (the Welsh brand of the Trust) will advise the Trust's council and trustees on matters relating to Wales and will act as a bridge with Welsh Government. Operationally engagement is undertaken through the two regional partnerships. The arrangement is overly complex in the context of Wales' designated landscapes as it has emerged in response to the particular geographical distribution of the canal network in Wales and the Marches.

5.54 The trustees are legally responsible for ensuring that the Trust works towards its charitable objectives. Trustees are the unpaid board directors of the Trust and take collective decisions on policy and overarching strategy and provide oversight of the executive directors.

5.55 This model of governance is not considered appropriate for National Parks. This is principally because the Trust is expected to become self-funded over time, which is not a viable financial model for National Parks, not least because of the significant competition that already exists for earning charitable income. Moving to such a model would also require many National Park services to become fee-paid, with charges applied to use of rights of way and access to the National Park. This would have major implications for the public, as it would threaten the long-standing principle that National Parks are free to use at the point of delivery. This model would also sever our long-standing ties with local government as there would be no scope to appoint local authority members to a charity board.

5.6 The U.S. National Parks Service

5.61 The U.S. National Parks Service is responsible for the care of 407 National Parks, and is part of the Department of the Interior. The Service is led by a Director who is supported by senior executives who manage national programmes, policy and budget and seven regional directors responsible for National Park management and programme implementation.

5.62 There is little direct comparison between the governance of the U.S. National Parks Service and that of the Designated Landscapes in Wales, not least because of the organisation's vast size and its complexities of scale.

Annex 1 – Planning in National Parks

A1 Our planning responsibilities have evolved over time, and, following independent assessment and regular user evaluation, are continually improving. As a result, we are proud to be amongst the best performing and most responsive planning authorities in Wales.

A2 An independent evaluation by Land Use Consultants¹⁶ found that overall the planning system works well in National Parks. The evaluation found many examples of good practice within NPAs, as well as good performance in relation to national indicators for planning service delivery. At the local level, each National Park local development plan was found to provide a consistent policy context for planning, in line with National Park purposes. This should be contrasted with the inconsistencies the evaluation found in AONBs, due to the number of local planning authorities involved in their management.

A3 Significantly, the evaluation concluded that:

...the key advantage of planning to National Park boundaries is that NPAs can adopt a consistent approach across the whole of the National Park area in their Local Development Plan regardless of local authority boundaries. This allows clear focus to be given to National Park purposes and allows alignment with the National Park Management Plan, creating a coherent approach and a clear focus across each National Park. (para 4.6).

...there is recognition of the importance of statutory designated landscapes having their own clear identity, separate from that of the constituent local authority(s), to try and ensure consistency in the delivery of planning functions across the statutory landscape. (para 4.18)

A4 All three Welsh NPAs have made excellent progress on local development plans¹⁷. Pembrokeshire Coast NPA was the first local authority in Wales to succeed in getting its plan adopted, Snowdonia NPA was the first local authority in North Wales to adopt in 2011 and Brecon Beacons NPA achieved adoption in 2013. Adoption was achieved more quickly than by many of our local authority counterparts, giving communities and businesses within National Parks a more certain and up to date policy framework to guide their development needs and aspirations.

A5 On development management, the Welsh Government's statistical information about the handling of planning applications by local planning authorities shows that NPAs perform consistently well on development management (e.g. for the most recent statistics for October – December 2014 all three NPAs are in the top seven best performing planning authorities in Wales¹⁸).

A6 Examination of the planning performance framework – indicator dashboard¹⁹ that was published by the Welsh Government alongside the 2014 'Positive Planning' consultation document demonstrated that the three NPAs are performing well across the planning spectrum.

¹⁶ Delivery of Planning Services in Statutory Designated Landscapes in Wales. Summary Report from Phase 1. Prepared for the Welsh Government by Land Use Consultants. August 2011

¹⁷ <http://gov.wales/docs/desh/policy/141110development-plans-progress-en.pdf>

¹⁸ <http://gov.wales/topics/planning/planningstats/development-control-management-survey/oct-dec-2014/?lang=en>

¹⁹ <http://wales.gov.uk/consultations/planning/draft-planning-wales-bill/?lang=en>

A7 The National Assembly's Environment and Sustainability Committee considered the planning role of NPAs in its recent report²⁰ on the Planning (Wales) Bill. It concluded that it had not been provided with sufficient evidence to suggest any benefits from merging the planning functions of NPAs with other local planning authorities. It also found that NPAs are performing as well as other local planning authorities, and expressed doubts that the planning decisions made by local planning authorities in AONBs were as effective in protecting these landscapes as those made by NPAs.

A8 There is no evidence to suggest that merging National Park and local authority planning services would offer better value for public money or that National Park purposes would be delivered more effectively.

²⁰ National Assembly for Wales Environment and Sustainability Committee, Planning (Wales) Bill Stage 1 Committee Report, January 2015