

HEADINGS IN DRAFT ESTABLISHMENT ORDER FOR CHILTERN CONSERVATION BOARD

Introduction

The Draft Order will only incorporate those functions of a Board which require a power. Most potential functions and activities of the Board do not require a power or are covered by powers and duties in the Countryside and Rights of Way Act 2000.

Countryside and Rights of Way Act 2000

Section 87:

It is the duty of a conservation board, in the exercise of their functions, to have regard to:

- (a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and,
- (b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty

But if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a)

(2) A conservation board, while having regard to the purposes mentioned in subsection (1) shall seek to foster the economic and social well being of local communities within the Area of Outstanding Natural Beauty, but without incurring significant expenditure in doing so, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of outstanding natural beauty.

Section 89:

“Every conservation board shall, within two years after the date on which they are established, prepare and publish a plan which formulates their policy for the management of their area of outstanding natural beauty and for the carrying out of their functions in relation to it.”

A Nature Conservation

Proposed Functions and Activities of the Board

To promote and support biodiversity initiatives which conserve and enhance the natural beauty of the AONB.

The Board is seeking the capacity to increase its involvement in practical nature conservation work, in conjunction with local authority partners, English Nature and County Wildlife Trusts and others in the following ways:

- Provision of technical advice;

- Promotion of specific action and policies;
- Provision of funding and other resources;
- Collection and dissemination of information;
- Commissioning and contributing to research effort;
- Surveying and monitoring species and habitats;
- Entering management agreements with site owners and managers;
- Acquiring and or managing land; and
- Designating Local Nature Reserves.

B Acquisition and Management of Land

Proposed Functions and Activities of the Board

To conserve, enhance and promote enjoyment of the landscape and biodiversity of the Chilterns AONB through the promotion of sustainable management of land and water.

The Board has the power to acquire land under the CroW Act 2000. It cannot have powers of compulsory purchase. The circumstances in which it might acquire land include, for example:

- To protect a site of wildlife, landscape or historic importance;
- To provide opportunities to enjoy the countryside;
- To provide a site for visitor or study facilities;
- To provide access to a particular area of land or feature of interest; and
- To provide a demonstration of good practice for sustainable management of land.

Local Bylaws

Under the powers to acquire, dispose and manage land, the Board may wish to introduce local bylaws specifically relating to the land under its ownership. These laws will generally prohibit the public from undertaking certain actions such as:

- prohibiting the lighting of fires,
- prohibiting the depositing of rubbish or leaving of litter, and,
- conditions over the use of parking places.

This power would help the Board ensure the site is used and managed in appropriate manner.

Litter, Abandoned Vehicles and Refuse

The Board would seek to remove litter, abandoned vehicles and as good management practice, but is not seeking to a legally responsible body. The Board may seek these powers if advised that they are necessary to enforce bylaws for land which it owns.

Common Land

Within the AONB there are over 100 registered commons covering approximately 2,500 hectares, which have remained largely free from development and escaped the intensification

of management of some of the surrounding countryside. There is considerable public interest in commonland, for access and recreation, cultural and historic importance wildlife interest and landscape value. It is highly likely that the Shadow Board's current level of involvement in the management of commonland will increase. The Board interest is the management of commonland for its landscape, wildlife, recreation and historic interest. It would not want to be the authority responsible for registering commoner's rights.

C The Historic and Built Environment

Proposed Functions and Activities of the Board

To conserve, restore or enhance the built and historic environment, which contributes to the distinctive character of the Chilterns AONB.

This may, for example, include:

- Provision of technical advice;
- Promotion of specific action and policies;
- Provision of funding and other resources;
- Collection and dissemination of information;
- Commissioning and contributing to research effort;
- Surveying and monitoring;
- Entering management agreements; and
- Acquiring and managing land, buildings and other features.

D Recreation and Access

Proposed Functions and Activities of the Board

To promote enjoyment of the countryside and secure improved access for all types of visitors and users.

To promote, enhance and support the Public Rights of Way Network and explore opportunities for new access options within the AONB.

To play a positive and active role in the activities of those Access For a which cover the Chilterns AONB.

To secure the provision of facilities within the Chilterns AONB including:

- Camping sites, parking places, toilet facilities and litter bins;
- Study centre(s) focusing on the conservation and enhancement of natural beauty; and
- To publish and present information relating to the Chilterns AONB.

E Countryside Management Services

A Conservation Board could operate, provide or assist in developing an operational countryside management service, which could undertake the following tasks, for example:

- Conservation tasks;
- Guided walks;
- Organising events;
- Management of sites;
- Provision of advice on sites and wildlife management;
- Environmental education programmes;
- Visitor services; and
- Community participation.

Current local authority countryside management services operating within the Chilterns are either undertaken in-house or contracted out to a variety of organisations. The quality of service varies depending on resources and not all services provide the same level of provision within the AONB, resulting in inconsistent standards from within one administrative boundary to another. The Board's role will be primarily to ensure that a range of services is available across the AONB to a consistent standard operating to terms of reference partly defined by the purposes of AONB designation and the aims of the management plan for the AONB. The Board currently offers countryside services within specific fields of activity, usually operating in partnership with other services where they exist.

F Helping set Environmental Standards

In order to fulfil its duties and achieve the aims of the AONB Plan the Board will need to maximise its influence, especially with those organisations which have the most impact on the Chilterns AONB. Accordingly the Board is seeking a power which enhances its effectiveness in ensuring those bodies also contribute positively to the purposes of AONB designation.