

CONSTITUTION FOR THE SURREY HILLS AONB BOARD

INTRODUCTION

- 1 The aim of this document (“the Constitution”) is to set out roles and responsibilities for the work of the Joint Management Committee for the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the direction of its development.
- 2 The Joint Management Committee has been established under sections 101 and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, by the following local authorities (“the Constituent Bodies”):
 - Guildford Borough Council
 - Mole Valley District Council
 - Reigate and Banstead Borough Council
 - Surrey County Council
 - Tandridge District Council
 - Waverley Borough Council
- 3 Defra, represented by Natural England, and the National Trust are co-opted members of the Joint Management Committee and their roles are defined in the Decision Making section: paragraphs 43 and 44.
- 4 The Surrey Hills AONB Board leads a consortium (“the Surrey Hills family”) that uses the Surrey Hills trademark to deliver the strategic AONB Management Plan objectives. These organisations are referred to as the Delivery Partners (see paragraph 22b under Membership).
- 5 Each Local Authority has delegated to the Joint Management Committee its statutory duty to prepare and keep under review the AONB Management Plan.

NAME OF THE JOINT MANAGEMENT COMMITTEE

- 6 For publicity and promotional purposes the Surrey Hills Area of Outstanding Natural Beauty Joint Management Committee will be commonly referred to as the “Surrey Hills AONB Board”. The Joint Management Committee is referred to as the Surrey Hills AONB Board (the Board) throughout this constitution.

PURPOSE OF THE AONB BOARD

- 7 The Board will be guided by national policies set out for Areas of Outstanding Natural Beauty, primarily by Natural England on behalf of Defra.
- 8 The primary purpose of the Board is to conserve and enhance the natural beauty of the AONB. The Board will also:
 - (a) promote sustainable development and appropriate enjoyment of the AONB
 - (b) promote public and political awareness and support for the AONB both locally and nationally

- (c) make the AONB relevant to the people who live and work in and around the Surrey Hills and to visitors to the area
 - (d) oversee the use of the Surrey Hills trademark and the development of the Surrey Hills brand
 - (e) ensure the effective delivery, monitoring and review of the Surrey Hills AONB Management Plan, and to seek sources of permanent funding that secure the financial future of the AONB Unit
- 9 Each member organisation of the AONB Board will be expected to commit itself to the aims of the Board and to achieving the national and local objectives for the Surrey Hills AONB in the ways outlined in the AONB Management Plan. Members of the Board will act first and foremost independently in the interests of the AONB, but with regard to the interests of their sponsoring organisation.
- 10 The Countryside and Rights of Way Act 2000 has established a statutory duty on local authorities with AONBs to prepare an AONB Management Plan. In the Surrey Hills the Board prepares the AONB Management Plan for adoption by the local authorities and leads and co-ordinates its implementation. The AONB Management Plan provides a common framework for action, whilst the Constitution provides the complementary framework to determine how the Board and its members should operate to maximum effect.
- 11 The Countryside and Rights of Way Act 2000 has also established a duty on any Minister of the Crown, public body, statutory undertaker or person holding public office, to have regard to the purpose of conserving and enhancing the natural beauty of the AONB in exercising or performing any functions in relation to or affecting land in the area.

ROLE OF THE SURREY HILLS AONB BOARD

- 12 The Board is both an executive body, acting as a catalyst and facilitator, preparing and leading the implementation of the AONB Management Plan on behalf of its constituent bodies and other organisations and an advisory body, particularly with regard to policies and the allocation of resources in relation to the protection and enhancement of the AONB. The constituent bodies are those bodies listed in paragraphs 22a and any others appointed are listed under paragraph 22b. The Board prepares the AONB Management Plan for adoption by the local authorities and leads and oversees its implementation. The Board also plays a leading role in developing an image and sense of identity for the Surrey Hills AONB and developing and supporting initiatives for conservation within it.
- 13 The AONB Board will recognise the following principles:
- (a) the long term protection of the AONB can only occur if those who live and work in or close to it recognise its values and support efforts to conserve them
 - (b) public and political support depends on identifiable achievements leading to a recognition that the Board and the activities which it generates add value to the conservation of natural beauty in the area

- (c) the resources it can deploy directly itself will be relatively limited, but can if well directed, be of great value in raising awareness, catalysing action by others and attracting support from sponsors.
- 14 The Board will not attempt to control the work of the Constituent Bodies within their own areas of responsibility.

TERMS OF REFERENCE

- 15 The terms of reference of the Board will be as follows:
- (a) to prepare the AONB Management Plan for adoption by the Constituent Bodies and to lead implementation on their behalf and, in particular, to develop practical measures to:
 - (i) protect, conserve and enhance the natural beauty of AONB;
 - (ii) promote the unique identity of the AONB recognising and respecting the individual landscape character and habitats of local areas in the implementation of planning and management policies;
 - (iii) encourage, where appropriate, quiet enjoyment of the AONB;
 - (iv) ensure that development is soundly based on principles of sustainability and is appropriate to the character of the AONB;
 - (b) to promote the objectives of the designation of the AONB and to act as a forum for the discussion of major issues affecting the character of the AONB;
 - (c) to encourage the Constituent Bodies to adopt policies which help achieve the objectives of the AONB Management Plan;
 - (d) to advise and inform the local authorities amongst the Constituent Bodies of the activities of the Board in order to raise the profile of the AONB locally and to support national efforts to enhance the status of Areas of Outstanding Natural Beauty;
 - (e) to provide a source of expertise and information on the AONB, its conservation and enhancement;
 - (f) to secure sufficient funding to meet its overall aims and objectives for effective management of the AONB and to manage its own devolved budget.
 - (g) to secure effective collaboration amongst the Surrey Hills family in order to deliver the AONB Management Plan objectives
- 16 Any changes in its terms of reference shall be considered formally by the AONB Board and agreed by all of the local authorities amongst the Constituent Bodies.

- 17 The AONB Board shall be entitled to set up and decide on the terms of reference of any panels or working groups it considers necessary or appropriate for the performance of its functions.
- 18 The AONB Board may appoint and second staff as it considers appropriate to carry out its work, the funding of such posts to be agreed by those members described in paragraph 22a within the approved annual budget.
- 19 The AONB Board will produce an annual report of its activities to be distributed to all members and other interested parties. The annual report will be reported to the Surrey Hills Partnership which is more particularly referred to in paragraphs 48-51.

PATRONS

- 20 Distinguished local people with an interest in the Surrey Hills may be invited to be patrons of the Surrey Hills AONB, to lend their names and support to high profile campaigns, including fund raising campaigns.

MEMBERSHIP

- 21 The strength of the Board will be in the knowledge, expertise and commitment of its membership. All members should be willing and able to contribute to the aims of the Board by virtue of financial resources, influence, expertise or commitment of time.
- 22 The membership will be divided into the following three categories:
 - a) Representatives of the principal funding partners (“the Core Members”) which will comprise:
 - (i) Natural England, on behalf of Defra
 - (ii) Guildford Borough Council
 - (iii) Mole Valley District Council
 - (iv) Reigate & Banstead Borough Council
 - (v) Surrey County Council
 - (vi) Tandridge District Council
 - (vii) The National Trust
 - (viii) Waverley Borough Council
 - b) A representatives of the Delivery Partners who will comprise:
 - (i) Surrey Hills Enterprises Community Interest Company, which undertakes commercial activities, promotes business benefits and sources grants and sponsorships in support of the AONB Management Plan objectives. Controlled by a Board of Directors, including representatives of the AONB Board, it offers membership to commercial partners under a licence agreement with Surrey County Council on behalf of the Surrey Hills AONB Board;

- (ii) Surrey Hills Society, which is a membership organisation established as a charity to recruit and inform individuals with an interest in the AONB and supportive of the objectives set out in the management plan;
 - (iii) Surrey Hills Trust Fund, which is a dedicated fund established under the umbrella of The Community Foundation for Surrey to attract donations from individuals and companies to ensure the continued success of the work of the AONB Unit.
 - c) A representative of the Advisory Members
 - (i) Up to four advisory members of the Surrey Hills Partnership who in the opinion of the Board are likely to be able and willing to make a contribution (not including a representative of the Surrey Association of Local Councils);
 - (ii) One representative of the Surrey Association of Local Councils.
- 23 Delivery and Advisory Members will not have voting rights on statutory or financial matters.
- 24 The Board may also appoint, or co-opt for specific issues, other organisations or individuals who it considers to have relevant experience, and who it believes can make a significant contribution to the general aims of the Board. Unless these new members contribute to core funding, they will be “Advisory Members”.
- 25 All Members of the Board will also be members of the Surrey Hills Partnership (paragraphs 48-51).
- 26 All Member Organisations of the Board will decide on the period of office of their representative(s) on the Board and shall so notify the secretariat which is described in paragraph 41.
- 27 Representatives of local authorities amongst the Core Members must be elected Members of that authority.
- 28 Representatives of the Delivery Partners must be the Chairman or Vice-Chairman of that organisation.
- 29 All of the Core Members will endeavour to ensure their organisation is represented at all meetings of the Board.
- 30 a) The Members of the AONB Board will be expected to:
 - (i) support the aims and priorities of the Board;
 - (ii) participate fully in planning and operations;
 - (iii) harmonise the policies and plans of their own organisation which relate to the management plan (when adopted) of the AONB;

- (iv) disseminate and advocate the agreed policies of the Board as appropriate within their own organisation.
- b) The Core Members of the Board also will be expected to make an appropriate financial contribution as stated in paragraphs 63 and 71.

CHAIRMAN AND VICE CHAIRMAN OF THE BOARD

- 31 The Chairman of the Board and the Vice Chairman will be elected annually by the Board. The Chairman will play an active role in advocating and promoting the AONB, in leading the Board and ensuring its accountability.
- 32 In the event of neither the Chairman nor the Vice Chairman being present at a meeting of the Board a representative of one of the Core Members present shall be elected to chair the meeting.

MEMBERS ADVISORY GROUP

- 33 A Members Advisory Group will support the AONB Director in preparing for Board meetings and interpreting and implementing AONB Board decisions. The Membership will comprise of:
 - i. The Surrey Hills AONB Board Chairman
 - ii. The Surrey Hills AONB Board Vice-Chairman
 - iii. An elected Surrey County Council representative
 - iv. Two other Core Member representatives who would be elected annually, at least one of which is a local authority Member.
 - v. The Surrey Hills AONB Director
- 34 The Chairman and AONB Director can also co-opt any Member to advise on specific issues.
- 35 The Members' Advisory Group will meet regularly at the request of the AONB Chairman and / or AONB Director, but in any case normally one month prior to AONB Board meetings.
- 36 The meetings will be minuted and the minutes will be circulated to AONB Board Members.

NUMBER AND FREQUENCY OF MEETINGS

- 37 The Board will normally meet four times a year.
- 38 Special or extraordinary meetings may be arranged by the secretariat, which is described in paragraph 41, following consultation with the Chairman.
- 39 Annual forums may be held, to which any interested organisation or individual will be invited, to enable the Board to engage in dialogue with them and to publicise the achievements made and projects planned.

- 40 The Board may also make arrangements to establish, review and terminate Working Groups and organise seminars, tours and site visits on issues and projects relevant to its work as it considers appropriate.
- 41 The secretariat for the Board and for the Surrey Hills Partnership shall be provided by the AONB Unit staff.

DECISION MAKING

- 42 Wherever possible, decisions made at the Board will be by means of consensus. In the event of a vote being necessary, voting will be by a show of hands and decisions reached will be based on the majority of votes cast for or against a particular proposal. The Chairman will not normally vote but in the event of the voting being equal, the Chairman of the Board will have a casting vote. In the event of the Chairman choosing not to exercise the casting vote, the proposal in question will fail. Only the Core Members will be entitled to vote on matters having a statutory or financial implication for the Surrey Hills AONB Board.
- 43 The quorum of the Board will be 50% of the organisations that make up the Core Members.
- 44 Only Local Authority Members may vote on matters that are Local Authority statutory functions. For the avoidance of doubt, other bodies' representatives may advise upon such issues.

BUSINESS TO BE DEALT WITH AT MEETINGS

- 45 Agendas for meetings of the Board setting out the business to be dealt with will normally be despatched to Members seven working days in advance of the meeting.
- 46 The agreement of at least two of the following: the Chairman, Vice-Chairman and AONB Director, will be sought prior to dealing with any urgent items of business or any other business not listed on the agenda for meetings of the AONB Board.
- 47 Meetings of the Board shall be conducted in accordance with the standing orders of Surrey County Council, as amended below unless or until the Board decides otherwise.
- a) The first item on the agenda of any meeting of the Board will be a standing item requiring Board Members to declare any conflict of interests
 - b) The minute taker at the meeting shall note any declarations in the minutes of the meeting
 - c) Any Board Member who is a local authority councillor must withdraw from a meeting and not participate in any item of business where he or she has disclosable pecuniary interest

- e) In the case of any other conflicts of interest the Chairman will inform the non-conflicted Board Members of the nature of the conflict of interests. The non-conflicted Board Members will then:
- (i) assess the nature of the conflict;
 - (ii) assess the risk or threat to Board decision-making or scrutiny;
 - (iii) decide whether the conflict is non-trivial (that is, it is material or has the potential to be detrimental to the conduct or decisions taken by the Board);
 - (iv) The conflicted Board Member must not take part in the discussion or decision;
 - (v) Where a majority of the non-conflicted Board Members determine that the conflict is non-trivial the conflicted Board Member must withdraw from that meeting and not participate in that item of business

SURREY HILLS PARTNERSHIP

- 48 The Surrey Hills Partnership (the Partnership) will provide advice and scrutinise the work of the Surrey Hills Board. The membership of the Partnership will include:

Core Members

- (i) Natural England (1 member)
- (ii) Guildford Borough Council (2 members)
- (iii) Mole Valley District Council (2 members)
- (iv) Reigate and Banstead Borough Council (2 members)
- (v) Surrey County Council (4 members)
- (vi) Tandridge District Council (2 members)
- (vii) The National Trust (2 members)
- (viii) Waverley Borough Council (2 members)

Delivery Partners

- (i) Surrey Hills Enterprises Community Interest Company (2 members)
- (ii) Surrey Hills Society (2 members)
- (iii) Surrey Hills Trust Fund (2 members)

Advisory Members

- (1) National Farmers Union (2 members)
- (2) Surrey Wildlife Trust (2 members)
- (3) Country Land and Business Association (2 members)
- (4) CPRE Surrey (2 members)
- (5) Surrey Archaeology Society (2 members)
- (6) Forestry Commission (2 members)
- (7) RSPB (2 members)
- (8) Ramblers Association (2 members)
- (9) British Horse Society (2 members)
- (10) Surrey Association of Local Councils (2 members)

- 49 Members of the Surrey Hills Board will be included in the numbers of members of the Surrey Hills Partnership set out in paragraph 48 above.

50 There will be two meetings a year of the Partnership. One of these meetings will include a tour to view and discuss current issues and projects in the AONB.

51 The Chairman of the Partnership will be nominated by the AONB Board.

OFFICERS' WORKING GROUP

52 An Officers' Working Group comprising officers of the Core Members will provide the Board with professional advice in relation to its terms of reference, work and activities. The cost of providing such advice will be borne by the organisations represented on the Working Group.

53 The Chairman of the Working Group will be elected by the Officers' Working Group.

54 The Officers' Working Group will meet as and when necessary as determined by the Surrey Hills Director and the Chairman of the Working Group. The secretariat for the Working Group will be provided by the AONB Unit staff.

55 The AONB Board may task the Working Group to set up and decide on the terms of reference of any task groups in order to provide advice or implement specific elements of the AONB Management Plan.

56 The Working Group may also seek the advice of other organisations or individuals on specific aspects of the AONB Board's work as considered appropriate.

57 Officers will attend AONB Board meetings to advise Members as required

58 The primary functions of the Officers' Working Group will be to:

- (a) steer the preparation of the AONB Management Plan;
- (b) provide technical advice to the Surrey Hills Director and the Board;
- (c) develop policy recommendations to the Board;
- (d) promote liaison on technical issues between Members of the Board;
- (e) identify management issues of importance in the AONB;
- (f) determine information needs for management of the AONB including the need for research;
- (g) advise the Board on the need for resources to implement the AONB Management Plan;
- (h) co-ordinate and guide the work of task groups where set up;
- (i) co-ordinate the work of Members in implementing the AONB Management Plan.

THE AONB STAFF

59 The Board will recommend and approve the appointment of an officer for the AONB ("the Surrey Hills Director") subject to funding availability. The Chairman of the Board and the representative of Natural England will be members of the appointment panel. The Board may also recommend the appointment of other staff ("the Surrey Hills Unit") as part of a planned programme of work and to undertake specific

functions determined by the Board. The Board should ensure a current business plan defines the duties and tasks of the Surrey Hills Director and any associated staff.

- 60 The Surrey Hills Director and any associated staff will be employed by Surrey County Council. As the host authority, Surrey County Council will be responsible for employment, pensions, financial control, banking services, audit, recruitment, payroll, insurance, legal services, IT provision, estates management, and health and safety. In all other regards, the AONB Director and staff will be directed in their duties by AONB Board decisions.
- 61 When necessary, in the interests of expediency, the Surrey Hills Director may take action on behalf of the Board, after seeking prior approval of the Chairman and Vice-Chairman, provided such action is consistent with this constitution and is reported to the next meeting of the Board.

FINANCE

- 62 The funding requirement of the Board will form part of a five year rolling Business Plan that will align with the AONB Management Plan. The plan will be reviewed and submitted for approval to the Board on an annual basis.
- 63 The contributions to 'core' costs will be made primarily by the Core Members. Other organisations may be willing from time to time to provide funding or assistance in kind. The funding formula is referred to in paragraph 71.
- 64 The account of the AONB Board will be administered by Surrey County Council and will be operated under the County Council's financial regulations.
- 65 A budget will be prepared each year by the Surrey Hills Director and presented to the Board for approval in the context of the 5 year Development Strategy
- 66 The budget will make sufficient provision to cover:
- (a) staffing costs of the Surrey Hills Director and any other staff employed (such costs to include salaries, travel and subsistence, training, redundancy and recruitment);
 - (b) office accommodation and associated expenses;
 - (c) costs associated with publicising and promoting the work of the Board;
 - (d) the costs of any other projects and activities to be undertaken during the year for which the Board's approval has been given.
- 67 Financial contributions to the AONB Board's budget will be agreed on an annual basis.
- 68 Any surplus remaining in the Board's account at the end of a financial year shall be carried forward into the next financial year.

- 69 The Surrey Hills Director shall, within the budget limits agreed in advance and in accordance with the County Council's financial regulations or any conditions imposed by grant-giving bodies, be authorised to approve expenditure within the Board's terms of reference and to apply for grants, sponsorship, lottery funding or any other source of income. Continuing efforts will be made by all Members of the Board to identify and secure funding from a wide range of sources.
- 70 The Surrey Hills Director will prepare an annual statement of accounts for the previous financial year for the Board's approval. The Surrey Hills Director will also be responsible for providing financial information in response to any reasonable request from any of the Constituent Bodies making a financial contribution.
- 71 In order to secure continuity and stability to the arrangements based on Defra continuing to contribute up to 75% towards the core staff unit costs and 1 Local Authority Core Members contributing a minimum of 25% and will commit them to support over a five year period based on the following formulae:

Defra	75%
Surrey County Council	13%
Guildford Borough Council	3%
Mole Valley District Council	3%
Waverley Borough Council	3%
Reigate and Banstead Borough Council	1.5%
Tandridge District Council	1.5%

REVIEW

- 72 The funding arrangements will be reviewed annually and the constitution for the Surrey Hills Board will be reviewed at least every 5 years at the time the AONB Management Plan is reviewed and adopted.